



Author(s)	Lewis, Chantee.
Title	The impact of executive order 10988 on labor relations in the Defense Department.
Publisher	Monterey, California : Naval Postgraduate School
Issue Date	1964
URL	<a href="http://hdl.handle.net/10945/28270">http://hdl.handle.net/10945/28270</a>

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THE IMPACT OF EXECUTIVE ORDER 10988  
ON LABOR RELATIONS IN THE  
DEFENSE DEPARTMENT

CHANTEE LEWIS

THE IMPACT OF EXECUTIVE ORDER 10988

ON

LABOR RELATIONS

IN THE DEFENSE DEPARTMENT

~~NO FORN~~

by

Chantee Lewis

Commander, United States Navy

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Submitted in partial fulfillment of  
of the requirements for the degree of

MASTER OF SCIENCE  
IN  
MANAGEMENT

United States Naval Postgraduate School  
Monterey, California

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THE IMPACT OF EXECUTIVE ORDER 10988

ON

LABOR RELATIONS

IN THE DEFENSE DEPARTMENT

by

Chantee Lewis

This work is accepted as fulfilling  
the research paper requirements for the degree of

MASTER OF SCIENCE

IN

MANAGEMENT

from the

United States Naval Postgraduate School



## ABSTRACT

On 17 January 1962, Executive Order 10988 (Employee-Management Cooperation in the Federal Service) ushered the Federal manager (both military and civilian) into a new era of employee-management relations. The unknown impact of the Order and its many possible implications within DOD had led to the development of a multiple measuring method (interview, questionnaire, statistical records, content analysis, and tabulation of critical incidents), to determine how management and "unions" have been effected by this Order. All of the military services and the employee organizations dealing with DOD activities were surveyed at the Washington level, and also a questionnaire was sent to a random group of 110 military activities and their corresponding "union" locals. Reliability and validity were established at .87+ and .74+ respectively. The final results were plotted on an ordinal bipolar scale with a positive correlation of .405.

The analyzed results were reported in three categories, optimistic, pessimistic, and best estimate. In general, the best estimate indicated that the Order is meeting its stated objectives. The major accomplishments, to date, are improved communications, cooperation and training. Problems do exist and the "small" and "informal" employee organizations are probably losing ground in membership strength. There is some frustration and disappointment. Some significant problems are the "conflict of interest" issue, election procedures (60% rule, no run-off) and hostile civilian supervisors. However, the Order appears to be meeting the definite need of clarifying employee status and management policy. The improved cooperation and communications should prove a source of strength to the Civil Service. The knowledge of the results of this study, and their implications, should be educational to the Federal manager and assist him as he discharges his duties.

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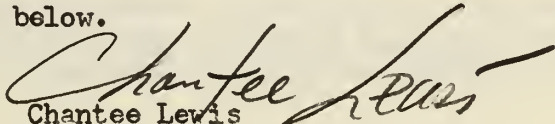
## ACKNOWLEDGMENTS

The author wishes to express his appreciation to each of the authorities whose comments and interest have assisted me in preparing this study: Dr. Wilson R. Hart, Labor Advisor, Defense Supply Agency; Dr. Thomas Holland, George Washington University; Mr. Louis Wallerstein of the Department of Labor; Mr. Edward B. Powell, Employee-Management Relations, Navy Industrial Relations; Mr. Leonard B. Burman, Employee-Management Relations, U. S. Air Force; and my faculty advisors from the Naval Postgraduate School.

I am grateful to the staff of the various national and international union organizations and other independent employee organizations.

Finally, I am indebted to my wife, Lorna, who has been a tireless consultant and proofreader (and who still has many reservations about the punctuation and sentence structure).

While the material has been found unobjectionable by Navy consultants, it certainly does not represent Department of the Navy policy, views, or opinions, nor is the Department responsible for matters of factual accuracy. I assume sole and complete responsibility for the accuracy of this report and would be glad to hear the comments of any reader. My address is indicated below.

  
Chantee Lewis

c/o VAW-13  
NAS Alameda, California  
May, 1964.

## Chapter I

### The Problem, Assumptions and Definitions of Terms Used.

On 17 January 1962 the late President Kennedy signed Executive Order 10988 which bears the impressive title, "Employee-Management Cooperation in the Federal Service." This order became operationally effective on 1 July 1963 and has been proclaimed to be the most significant policy change in the Civil Service Personnel Program since enactment of the Civil Service Act of 1883.<sup>1</sup>

Executive Order 10988 is of timely interest to the Federal manager (military or civilian) because of its impact on almost two and one half million Federal Workers and its similarity to the labor relations program which exists in industry under the Taft-Hartley Acts.

#### I. The Problem.

It is the purpose of this research paper to obtain information regarding the impact of Executive Order 10988 on Employee-Management Relations concerning Civil Service employees in Defense Department agencies and to determine, to date, if the order is meeting its stated objectives. The degree of impact will be measured by multiple methods

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<sup>1</sup>John W. Macy Jr., "Employee-Management Cooperation in the Federal Service," Management Relations with Organized Public Employees, Kenneth O. Warner (ed.), (Chicago: Public Personnel Association, 1963), p. 204.



(interview, questionnaire, statistical records, content analysis and tabulation of critical incidents). It is the intention of the study to contribute to employee relations, through education, by showing the Federal manager the extent and direction which Federal employee-management cooperation is now taking in order that these managers may have a better insight into the situation and possibly be able to handle Civil Service employees more effectively.

## II. Assumptions.

This study is based on a sample survey of employee organizations and their corresponding management representatives within the Department of Defense. It is assumed, using accepted statistical methods, that the sample is representative of the types of "unions" and management offices that exist within the Defense Establishment. As a corollary it is also assumed that a study confined to the Defense agencies, while not necessarily representative of the whole Federal Civil Service, is, in itself, meaningful and useful to Federal management.

A second assumption is that the shape of the population being measured for the impact study is such that an inference can be made that the population is normal. Therefore parametric statistical techniques, with their limitations, are considered to be the appropriate statistical measuring means.

The third assumption is that sufficient time has lapsed since enactment of this order so that meaningful measurements can be made,

concerning results, rather than measuring an instant of opinion as reactions oscillate. This last assumption may be assailable; however, time only will truly answer this question. This is always a problem in measuring behavioral questions but since this study is not intended for historical use but rather to assist today's managers, the assumption is considered acceptable.

### III. Definitions of Terms Used.

Employee organizations or unions. In general, any lawful association, labor organization or brotherhood whose primary purpose is the improvement of working conditions among Federal employees or any craft or trade union whose membership includes Federal employees in an employee organization. Organizations whose primary purpose is social, fraternal or religious are not employee organizations for the purpose of this study. In addition, management-sponsored "employee councils" are not employee organizations.<sup>2</sup>

Supervisor. While the Federal Personnel Manual has a rather specific definition for who is a supervisor, for the purpose of this study I shall use a pragmatic approach and accept a working definition which seems to be evolving from advisory arbitration cases. This

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<sup>2</sup>US Civil Service Commission, Federal Personnel Manual System Letter. FPM let. 700-1, April 24, 1962.

means we have two categories of supervisors, the blue collar and the white collar. In general this includes persons who direct, control or supervise operations and personnel. In the case of blue collar supervisors this, in general, means those who supervise on a full time basis--such as a foreman--and does not include those who work at their trade while supervising--such as the "working supervisor" or leadingman. However some crafts, printing for example, have a long history of supervisors belonging to and participating in union activities and therefore a conflict of interest case involving them must be decided on an individual basis. In the area concerning possible conflict of interest, the white collar supervisor is one who has extensive supervision duties and advises management in policy matters. For example, in general, a GS5 who "supervises" two GS4's would not be a supervisor within the scope of this study.

Appropriate Unit. This is one of the most difficult terms to define and no easy-to-apply rules can be formulated to remove uncertainty. In broad terms the "bargaining unit" is determined on the basis of an identifiable community of interest among the employees concerned. This is similar to the provisions included in the Taft-Hartley Act. Again taking the pragmatic approach, advisory arbitration cases are taking note of NLRB rulings in this area. The identifiable community of interest must be a flexible one and be appropriate in light of the specific circumstances. This means units cannot be established on the basis of convenience (proposed command-



wide units often fall in this area), nor can they be established solely to accommodate an existing membership situation. Specific case decisions/precedents should keep in mind such NLRB bench marks as Globe Machine, American Can, National Tube or American Potash concerning the craft-industrial unit, and rulings such as Dura Steel (1954) and Westinghouse Air Brake (1958) concerning the white collar unit.

#### IV. Summary.

Today's Federal manager is entering a new era of employee-management relationships. Assuming that my sampling is representative of the whole and that we have a parametric situation that can be meaningfully measured at this date, the degree of impact of Executive Order 10988 will be measured within DOD activities. The results should be educational to the Federal manager and assist him as he discharges his duties. However these results must be evaluated with caution. It may be too early to determine the full implications and impact of Executive Order 10988.

## Chapter II

### The Development of DOD Employee Relations.

Initially the Service Secretaries of the Armed Forces followed a "no nonsense" hire-and-fire policy with employees, such as when the Secretary of the Navy in 1807 dismissed dissatisfied blacksmiths at the Portland Navy Yard when they complained of their low wages.<sup>1</sup> It appears that Federal authorities first became conscious of the fact that they had an employee relations problem in the 1830's when the early trade union movement was struggling for the establishment of a ten-hour day. The Department of the Navy had the distinction of being the first agency in the United States Government to have a strike by its civilian employees. In August 1835 the employees at the Naval Yard in Washington, D. C., (site of the present Washington Navy Yard Annex) struck for a "change of hours and a general redress of grievances." Appeal was made to the Secretary of the Navy but little satisfaction was received and the men returned to work.<sup>2</sup> In July of the following year the shipwrights, calkers and riggers at the Philadelphia Navy Yard struck for the same 10-hour day that was then

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<sup>1</sup>Leonard D. White, Introduction to the Study of Public Administration (fourth edition; New York: The Macmillan Company, 1955), p. 419.

<sup>2</sup>David Ziskind, One Thousand Strikes of Government Employees (New York: Columbia University Press, 1940), p. 24.

the prevailing practice of the private yards. This strike was widespread and lasted for several weeks. Appeals were made directly to Congress and a petition was made to President Jackson who in response established a ten-hour day at the Philadelphia Yard.<sup>3</sup>

Later, in an election year, March 1840, President Van Buren established by Executive Order the ten-hour day for all Federal employees who were involved in public works without making any reduction in their pay. Van Buren was accused of attempting to buy votes. Later, on 16 December 1852 the Navy interpreted that the order did not apply to them and returned the employees to an 11-hour day. Widespread walk-offs or strikes followed and three days later this order was rescinded.<sup>4</sup> In August 1853, the ship carpenters at the Boston Naval Yard demanded the \$3.00 a day pay rate which was being paid in the private yards. Compromise was reached at \$2.75 per day and \$3.00 a day was granted in the following year. No sooner had the ten-hour day been accepted than agitation began for the eight-hour day. At the time of the outbreak of the Civil War a number of crafts in private shipyards were operating on an eight-hour day. To overcome inequities and to stabilize the labor situation in our navy yards, Congress, in December 1861, enacted the

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<sup>3</sup>Important Events in American Labor History (Washington: Office of Naval Industrial Relations, May 1963), p. 2.

<sup>4</sup>Ziskind, op. cit., p. 25.

first wage law for mechanics and workmen in the Naval industrial establishments. This was the first of our prevailing wage statutes and it provided that working hours and wages in navy yards were to be the same as in private shipyards or workshops in the vicinity.<sup>5</sup> At about the same time the employees of the Government Printing Office struck for and obtained an eight-hour day. Then in 1864, as an outgrowth of the Act of 1861, the Navy established its first wage board.

In 1868, Congress enacted the Federal eight-hour day for all "laborers, workmen, and mechanics employed by or on behalf of the U. S. Government."<sup>6</sup> However, the Secretary of the Navy interpreted the act as allowing him considerable discretion and he declined to pay employees the same pay for an eight-hour day as they had received for a ten-hour day. Civilian pay was cut by 20% and widespread work stoppages resulted. Congress considered this action contrary to the intent of the newly enacted law and, by joint resolution, the Secretary of the Navy was directed to pay all yard workmen the same rate of pay for an eight-hour day as they had formerly received for a ten-hour day.<sup>7</sup> Following the Civil War and particularly following the great

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<sup>5</sup> Sterling D. Spero, Government as Employer (New York: Remsen Press, 1948), p. 84.

<sup>6</sup> United States Department of Labor, Brief History of the American Labor Movement Bulletin No. 1000, (Washington: Government Printing Office, 1957), p. 67.

<sup>7</sup> Important Events in American Labor History, op. cit., p. 4.



panic of 1873, unionism began to decline in the Federal service.

To give the reader the proper perspective as to why the Navy has, historically, been one of the key agencies involved in labor relations one must realize which agencies employed most of the industrial type workers. With the exception of the Post Office, since the start of the Republic until the 1930's, the Navy has employed over 80% of all blue collar workers in the Federal Government.<sup>8</sup> In the case of the U. S. Army, it was not until 1893 that they had their first serious labor problem. This involved a dispute over hours of work and rates of pay and led to a work stoppage at the Watervliet Arsenal, West Troy, N. Y.<sup>9</sup> However, following the Spanish American War, labor organizations began to return in force to both the Naval Yards and the Army Arsenals. As a result of this increased union activity the Army, in April 1899, had another walkout at the Rock Island Arsenal with continuous labor strife until the Arsenal Commander, a Major Blunt, was transferred.<sup>10</sup>

After the Spanish American War the Navy initiated the first extensive effort of having union representation/consultation concerning wage board surveys and the establishment of personnel policy matters.<sup>11</sup>

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<sup>8</sup>U. S. Bureau of Labor Statistics, Monthly Labor Review, Vol. 77, No. 1 (January, 1954), pp. 1-2.

<sup>9</sup>Ziskind, op. cit., p. 30.

<sup>10</sup>Spero, op. cit., p. 95.

<sup>11</sup>U. S. Bureau of Labor Statistics, Monthly Labor Review, Vol. 77, No. 3 (March, 1954), p. 249.

Unfortunately this attempt at employee management cooperation was unsuccessful due to the hostile attitude of the Naval Yard Commanders who considered this an intrusion into their command prerogatives.<sup>12</sup> Nevertheless trade unionism continued to grow in the Army and Navy and in 1904 the International Association of Machinists (IAM) established the now well known District 44 to handle the affairs of government employees.<sup>13</sup> Management in the government countered these growing union efforts by obtaining an Executive Order which prohibited the forming of Federal Employee Unions and prohibited Federal employees, as individuals, from making petitions to Congress. At this time labor relations in the Army Industrial establishments deteriorated due to attempts by several military officers to apply Frederick Taylor's new principles of scientific management and management's attempts to use stop watches in the setting of piece work wage rates. Feeling against Taylorism ran much higher at the Army Arsenalns than in private industry possibly due to the government employees considering themselves part owners of the place where they worked and because of the appeal procedures they had to Congress. The Taylor System was not merely a technical innovation: it upset established roles and familiar patterns of behavior, established new systems of authority and control, and

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<sup>12</sup>Spero, op. cit., p. 94.

<sup>13</sup>Mark Perlman, The Machinists, (Cambridge: Harvard University Press, 1961), pp. 15-40.

created new sources of insecurity and anxiety. Out of this unrest Army IAM Lodges grew rapidly and the strike at the Watertown Arsenal in August 1911 was considered to dramatize Labor's hostility to the Taylor system.<sup>14</sup> The Watertown dispute brought about a Congressional investigation with resolutions that condemned the Arsenal's use of the Taylor system.<sup>15</sup>

At the same time the Postal Unions (led by the National Association of Letter Carriers, which was established in 1889 and presently has about 145,000 members) were taking an aggressive part in negotiating and establishing bargaining precedents both with the Postal Department and Congress concerning their pay and working conditions. History shows these unions had a genuine grievance concerning working conditions. The union's railroad mail section was particularly upset about unsafe and archaic working conditions which in the worst year, 1909, led to the death or injury of over 741 mail clerks.<sup>16</sup>

Then the IAM, a previously mentioned leader in the unionization of industrial workers within the Armed Forces since 1886,<sup>17</sup> established the first Metal Trades Council in the Defense Agencies at the Brooklyn

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<sup>14</sup>Hugh G. J. Aitken, Taylorism - A Watertown Arsenal (Cambridge: Harvard University Press, 1960), p. 157.

<sup>15</sup>Aitken, op. cit., p. 176.

<sup>16</sup>O. Glenn Stahl, Public Personnel Administration (New York: Harper and Brothers, 1956), p. 275.

<sup>17</sup>Supra, p. 10.



Naval Shipyard in 1908.<sup>18</sup> However, the growth in blue collar union membership was slow and prior to World War I did not exceed 10,000 and during the First World War grew to only about 25,000.

In 1912, Federal employee-management cooperation passed another milestone with Congress passing the Lloyd-LaFollette Act and thereby revoking the previously issued Executive Orders of 1902, 1906, and 1908. No longer were Federal Employee Unions or the petitioning to Congress by Federal employees prohibited but union membership was prohibited in organizations that asserted the right to strike against the government. In the same year, Congress also enacted the eight-hour day with pay for overtime.

Again, with the outbreak of military hostilities in World War I, this country had a shortage of skilled workers. Wages rapidly increased and private industry was bidding for the government's blue collar workers. To meet the demands of unions and to keep a smooth running operation, the Army and the Navy virtually recognized union organizations. In 1916, the Assistant Secretary of the Navy, Franklin D. Roosevelt, urged all government workers to organize for their own betterment and in order to assist coordination with management.<sup>19</sup> In

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<sup>18</sup> Report made by B. A. Gritta, President Metal Trades Department, AFL-CIO Industrial Relations Conference, New Orleans, 14 March 1963 (in the files of the AFL-CIO Headquarters, Washington, D. C.)

<sup>19</sup> Important Events in American Labor History, op. cit., p. 9

1917, the Army Arsenal conducted joint negotiations with the employees concerning piece rates and promotions to foreman in exchange for worker agreements not to restrict output.<sup>20</sup>

In 1918, the Navy established the first cash beneficial suggestion system and in 1919, Roosevelt established a Central Wage Board of Review with union representation from the Metal Trades Council. After the war, in 1921, President Harding increased the amount of union representation on the Central Wage Board of Review and established shop committees "to promote production and improve labor practice." However, due to the hostile reaction of military officers stationed at the Yards and Arsenal these shop committees failed to meet their objectives.<sup>21</sup> Incidentally, Franklin D. Roosevelt reestablished the shop committees in 1935 but due to a similar reaction by senior military officers, these committees were ineffective until as late as 1942.<sup>22</sup> To return to the subject of union development in the First World War, during the period 1916-1917, there was a general inflation in the cost of living and Federal white collar salaries lagged far behind private industry's pay. This situation and a general dissatisfaction with the working hours led to the formation of the National Federation of Federal Employees (NFFE)

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<sup>20</sup>Aitken, op. cit., p. 240.

<sup>21</sup>Spero, op. cit., p. 101.

<sup>22</sup>Ibid., p. 102.

in 1917. NFFE was unique on the government scene since any Federal employee, regardless of trade, occupation or profession, was eligible for membership. NFFE grew rapidly; in 1920 it had 38,000 members; in 1935 65,000 members; in 1959 75,000 members; but in 1959 the claimed membership was down to 53,000 and in 1963 down to 47,000.<sup>23</sup>

NFFE's early efforts were directed towards supporting and strengthening elements of the Civil Service system. NFFE vigorously pressed for the enactment of the Civil Service Retirement Act of 1920. This association took a strong position in behalf of the Federal Classification System and after passage of the Classification Act of 1923, urged extension of this system to the field services. NFFE's efforts were opposed by the other AFL national organizations who accused NFFE of committing raids--particularly on the building and metal trades.<sup>24</sup> When NFFE proposed that the Classification Act be expanded to include crafts, the other AFL leaders regarded this as evidence that NFFE was attempting to expand its jurisdiction at their expense. Finally, after a long and heated debate at the 1931 AFL convention, NFFE split from its parent body and became an independent employee organization. However, the AFL National desired to continue presenting the interests

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<sup>23</sup> United States Department of Labor, Directory of National and International Labor Unions (Washington: Government Printing Office, 1959), and a news item in The Washington Post, June 14, 1963, p. B7.

<sup>24</sup> Spero, op. cit., p. 189.



of the general government worker and thus started the American Federation of Government Employees (AFGE) in 1932. The AFGE has been essentially an industrial union, including workers eligible to join the craft unions, except that supposedly the AFGE does not recruit blue collar workers who already belong to an AFL Craft Union.<sup>25</sup> The AFGE has grown from 18,000 members in 1936 to 30,000 in 1940 and now claims over 120,000.<sup>26</sup> Then in 1936, the American Federation of State, County and Municipal Employees (AFSCME) split off from the AFGE. Although one of the younger unions, AFSCME is considered a real comer and presently has over 225,000 members--including some Federal employees.<sup>27</sup> Wilson Hart suggests that the AFSCME may further penetrate the Federal field with its aggressive leadership and possibly absorb the AFGE and the NFFE.<sup>28</sup>

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<sup>25</sup> Stahl, op. cit., p. 281; also a letter from George Meany, President AFL-CIO to B. A. Gritta, President Metal Trades, AFL-CIO, April 23, 1963. The letter concerned jurisdiction of the AFGE and indicated a restriction of future AFGE recruiting efforts in the blue collar field. In November 1963, at the 51st Convention of the Metal Trades Department, New York, it was reported that the jurisdiction dispute possibly had been resolved.

<sup>26</sup> Wilson R. Hart, "The U. S. Civil Service Learns to Live with Collective Bargaining" (unpublished manuscripts by W. R. Hart of Falls Church, Virginia, 1963, p. 2) and The Washington Post, June 14, 1963, p. B1.

<sup>27</sup> Interview with Mrs. Marjorie S. Mueller, AFSCME Research Service Dept., Washington, D. C., June 6, 1963.

<sup>28</sup> Wilson R. Hart, Collective Bargaining in the Federal Civil Service (New York: Harper and Brothers, 1961), p. 139.

Some of the other principal employee organizations which deal extensively with Defense Department Agencies are the 21 affiliates of the Metal Trades Department (representing over 300,000 workers in the Federal Government);<sup>29</sup> the National Association of Supervisors (5,000 to 10,000 members in the Federal Service); National Association of Government Inspectors (NAGE) (1,000 plus members in the DOD activities); American Federation of Technical Engineers (2,000 members in Federal Service); National Association of Naval Technical Supervisors (about 500 members in the Federal Service); Navy Field Safety Association (about 100 members in the Federal Service); National Maritime Union (13,000 members in the Federal Service); International Union of Operating Engineers (about 3,000 members in DOD activities); National Association of Planners, Estimators and Progressmen (1,800 members in DOD activities); and the International Organization of Masters, Mates, and Pilots (about 750 members in DOD activities).<sup>30</sup>

Returning to the historical development of management-employee cooperation in the Defense agencies, we find that in the mid 1930's the Navy, for the first time, was no longer the principal employer of industrial workers,<sup>31</sup> and by 1963, the breakdown of total DOD employment

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<sup>29</sup> Gritta, op. cit., p. 2.

<sup>30</sup> Data obtained as a result of questionnaires to unions and a telephone interview with Mr. J. Loewenberg, Bureau of Labor Statistics, Washington, D. C., 19 June 1963.

<sup>31</sup> U. S. Bureau of Labor Statistics, Monthly Labor Review, Vol. 77, No. 1 (January 1954), p. 7.

was as follows: total DOD civilian force 1,056,020 of which 557,044 are industrial type workers; Navy at 342,396; Army 329,330; and Air Force 301,264.<sup>32</sup> However, in the mid 1930's other Federal agencies were establishing bargaining procedures which were setting precedents for the Government as a whole. The Department of Interior established bargaining as early as 1920 on the Alaskan Railroad, TVA commenced bargaining in 1935, Bonnaville Power Authority since 1945, the Inland Waterways Corporation since 1944, AEC since its original establishment, and the Government Printing Office, the longest of all (it had an actual closed shop agreement from 1861 to 1903), is presently conducting bargaining under authority of the Kiss Act of 1924.

World War II, like the past wars, again accelerated greater efforts at cooperation in labor relations areas within the Defense Establishment. By now unions were fairly well organized, management was psychologically accepting the rights of employees to join unions (originally permitted in 1912 by the Lloyd-LaFollette Act), and the Federal Government had set a precedent of bargaining collectively in some agencies or bureaus. In addition, the Army and Navy industrial establishments had weathered some 17 strikes or walkouts of varying lengths before realizing that workers need the outlet of negotiation and effective communications

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<sup>32</sup>U. S. Congressional Record, 88th Congress, 1st Session, Vol. 109, No. 85, June 6, 1963, pp. 9670-9671.



when they feel they have a serious grievance.<sup>33</sup> In 1942, the War Department began a program of decentralization which permitted local commanders to recognize the rights of workers to join or not join unions and to establish local grievance procedures.<sup>34</sup> Initially, the Navy was considered the most progressive in this area with its employee councils, but soon the Army and later the Air Force followed suit.<sup>35</sup> Both the Army and the Navy restricted supervisor participation in their councils. In addition, the wage boards of all three services gave employees an opportunity to participate or consult with management.

The degree of union participation and union membership continued to grow and by 1961, the Task Force reported that union membership in the Defense agencies was as follows: Navy 29% with 96,528 union members, Army 11% with 39,331 members, and Air Force 9% with 24,650 members.<sup>36</sup>

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<sup>33</sup>Ziskind, op. cit., pp.187-89. It is noted that the average duration of strikes against the Federal Government was 6 days, 20% ended at the end of the first day and 10% lasted less than a day. The major areas of dispute were the matter of determining a prevailing wages and issues involving working hours.

<sup>34</sup>Spero, op. cit., p. 102.

<sup>35</sup>Wilson R. Hart, Collective Bargaining in the Federal Civil Service, op. cit., pp. 92-93.

<sup>36</sup>President's Task Force on Employee-Management Relations in the Federal Service (Washington D. C., October 1961), Staff Report III, pp. 10-11.



But before concluding this review of labor relations involving the Defense agencies, two other facets of labor problems in the modern technological age should be mentioned. First, we have the National Missile Sites Labor Commission which was created by President Kennedy on May 1961 by Executive Order 10946 in order to resolve missile site disputes, often of a jurisdictional nature. This commission had demonstrated what an intense mediation process and a concentrated effort can do to successfully reduce disputes in a critical segment of our economy without losing the voluntary nature of collective bargaining.<sup>37</sup> During its two years of operation, for every 1,176 man days of work at the missile sites, only one man day has been lost due to walkouts.<sup>38</sup> Second, the Air Force recently has had a most unique labor dispute involving the contract crews of its ocean range vessels in a jurisdictional dispute between the Seafarers Union and the National Maritime Union. The Seafarers crew declined to leave several Government-owned ships until court orders supported the Air Force position. Even then the range vessel FS-1836 caused no end of legal problems when the Air Force chose Recife, Brazil as the port for their contractor, Marine Transport line, to pay off the Seafarers crew and take on a NMU crew.

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<sup>37</sup>15th Annual Report Federal Mediation and Conciliation Service (Washington: U. S. Government Printing Office, 1963), pp. 31-34.

<sup>38</sup>"Missile Sites: Less Time Lost," U. S. News and World Report, 17 June 1963, p. 90.

The Air Force finally fell back on the expedient of rounding up "blue suit" personnel, flying them to Brazil and sailing the FS-1836 back to Miami. After a legal tangle in both the Federal courts and NLRB the government's position has been upheld that these vessels were undocumented public vessels with the same status as warships. However, to fully qualify as public vessels the Air Force has been advised to keep them in their actual possession (Air Force ship commander aboard each ship).<sup>39</sup>

From this synopsis of the history of employee-management relations in Defense agencies it can be detected that there has been a steady increase in the degree of employee participation with management. However, tensions and inequities still exist. The First Hoover Commission in 1949 found that the agencies were lacking a "formal provision for the positive participation of employees, both as individuals and in organized groups, in the formulation and improvement of Federal personnel policies and practices."<sup>40</sup> Unfortunately, often the civil servants and the senior military officers managing the activities share too small an area of common interest.<sup>41</sup> History shows

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<sup>39</sup>Hebert Robeck, Procurement of Services for Operation of Ocean Range Vessels, Atlantic Missile Range (Washington: Military Operations Subcommittee Staff Report, January 15, 1963).

<sup>40</sup>Felix A. Nigro, Public Personnel Administration, (New York: Henry Holt and Co., 1959), p. 400.

<sup>41</sup>J. R. Primm, "A Study of Civil Service and Military Relationships in the Navy" (unpublished Master's thesis, U.S. Naval Postgraduate School Monterey, 1961), p. 35.

that the senior officer corps has on numerous occasions blocked employee participation and displayed anti-union attitudes.<sup>42</sup> In addition, whether valid or not, there is a general feeling among union leaders and newspaper feature writers that the U. S. Armed Forces Officer Corps, at best, has a neutral attitude toward the interests of the working man and often is anti-union at times if not closely supervised by civilian leadership of the Department of Defense.<sup>43</sup>

Thus we have set the stage and attempted to show some dimensions of the emotional climate that existed prior to President Kennedy's appointment of a Special Task Force on 22 January 1961.

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<sup>42</sup>Supra, p.10, 13.

<sup>43</sup>Conclusion drawn by author after approximately 20 open-end type interviews with leaders of National Labor Unions and leading Washington, D. C. labor newspaper columnists, May through July 1963. This is a most unfortunate situation which will require a long range educational program for both the officer corps and the public. Additionally, some reports were received indicating dissatisfaction with officers stationed at industrial establishments who were not engineering/managementwise fully qualified. The reasoning being that inefficient management at times jeopardizes the whole establishment with some congressional groups and results in more work being contracted to the more competitive private industry (e.g. Naval shipyards vs. private yards and military aircraft repair facilities vs. industrial aircraft maintenance contracts).



## CHAPTER III

### THE STUDY OF THE PRESIDENT'S TASK FORCE

From the previous tracing of management-employee cooperation, primarily in Defense Agencies, there has been a steady indication of growth in union strength with a union desire for more positive employee participation in the formulation and improvement of Federal personnel policies and practices. Also today's union relations in private industry have set many guides including Federal Laws (mainly the 1935 Wagner Act revised by the Taft-Hartley Act of 1947 and the Labor-Management Act of 1959), state statutes, Court and NLRB decisions. Then Federal and state mediation and conciliation services plus city and private arbitration programs assist in the resolving of disputes in the private sector. Therefore, it is not surprising that public employees are more and more experiencing the contagious influence of this movement. With the steady growth of total government employees and the Federal government managing many "private industry" types of operations (Alaskan R.R., Inland Waterways Corp., Military Clothing Factory, etc.) it has become increasingly difficult to rationalize or justify why Federal employees, who are not engaged in typical "governmental functions" i.e. Armed Forces, FBI, State, HEW, etc., should not come under a Taft-Hartley type of procedure.<sup>1</sup>

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<sup>1</sup>James W. Errant, Chairman, "Labor Unions and Collective Bargaining in Government Agencies: A Panel Discussion," Public Administrative Review, Vol. V, No. 4 (Autumn 1945), p. 378.

This contrast in standards has led to the introduction of over 30 bills relating to employee-management relations in the Federal Service for the 87th Congress (1961).<sup>2</sup> The Rhodes-Johnson Bill (H. R. 12), Federal Employee's Relations Act of 1961, and Representative Daniels' H. R. 4078 of the 88th Congress, are but two examples of proposed legislation which, if passed in their present form would place rigid requirements on Federal agencies. Each year this type of legislation has been gaining support. Today the public's attitude toward unions in government is becoming more tolerant.<sup>3</sup> Recognizing this, since 1951 the Federal Personnel Manual has encouraged government officials to solicit and consider the views of their employees in formulating personnel policy; however, there has never been any Presidential policy in the area which would act as a guide for all agencies. Therefore in June 1961 President Kennedy appointed a special Task Force to review and advise him.

The Task Force was composed of top level officials (Chairman Arthur J. Goldberg, Vice-Chairman John W. Macy) who held public

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<sup>2</sup>President's Task Force on Employee-Management Relations, Staff Papers on Employee-Management Relations (Washington: Oct 1961), Staff Report I, Staff Paper No. 5, pp.25-26.

<sup>3</sup>Marshall E. Dimock, Gladys O. Dimock, and Louis W. Koenig, Public Administration (New York: Holt, Rinehart and Winston, 1961), p. 460.

hearings in Washington, D. C. and six other cities to afford the interested groups and citizens an opportunity to present their views on such matters as Federal Employee rights to join or not to join a union, standards for the recognition of unions, and the participation of employees and/or their representatives in grievances and appeals. The Task Force Report proceedings was most comprehensive and established a gauge or "water mark" showing the level of employee-management relations before the issuance of Executive Order 10988. In addition the findings of the Task Force, as they pertained to Defense agencies, gave me the basis for establishing a "before" measurement from which to compare the current situation in an effort to actually measure the impact of this Order.

First, however, in attempting to grasp the full significance of this Task Force, and in order to understand the reaction and controversy that this report set off, one must understand that many professional Federal personnel officials were by-passed and most of the staff "nuts and bolts" work was done by outsiders who had been recruited by Secretary Goldberg.<sup>4</sup> Specific areas taken up and reported by the Task Force, pertaining to Defense Agencies, fell into

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<sup>4</sup>Wilson R. Hart, "Government Labor's New Frontiers Through Presidential Directive," Virginia Law Review, Vol. 48, No. 5 (1962), p. 898. Key aides were Dr. Daniel P. Moynihan, Special Asst to Sec. of Labor, and Miss Ida Klaus, Counsel to NYC Dept. of Labor.

the following categories:

a. Volume of employee appeals considered by the Civil Service

Commission: During fiscal year 1961 the commission received 11,568 appeals (about 10% of these appeals were from job applicants.) The following table shows the number of such actions sustained or reversed:

TYPE OF APPEAL

Reviewed by	VETERANS			NON-VETERANS		
	<u>Total</u>	<u>Sustained</u>	<u>Reversed</u>	<u>Total</u>	<u>Sustained</u>	<u>Reversed</u>
1st Level (Regional Office)	1,320	1,097 83%	223 17%	1,208	1,142 94%	66 6%
2nd Level (Board of Appeals and Review)	733	666 91%	67 9%	483	460 95%	23 5%

By categories the appeals were as follows:

Reduction in Force	4,070
Classification	1,654
Performance Rating	172
Examination	175
Suitability	769
Retirement	300
Veteran	2,053
Non-Veteran	1,691
Miscellaneous	<u>684</u>
TOTAL	11,568 <sup>5</sup>

b. Federal Wage Board Systems: Under the Classification Act of 1949, as amended, there are 61 wage boards pay systems. The Navy is

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<sup>5</sup>President's Task Force on Employee-Management Relations, op. cit., Staff Report I, Staff Paper No. 8, pp.33-34.



partly excluded from the Classification Act of 1949 and its authority for wage boards stems from an Act passed back in 1862 (10/USC 7474). In Defense, the Army and the Air Force jointly operate one wage board system and the Navy another; however, the law specifies that the head of a department may prescribe the regulations for its wage board. The law does not specify the actual method for determining the "prevailing rates" or the method of conducting surveys and setting wage rates. Presently interagency coordination has eliminated most duplication of wage surveys (i.e. Navy Representatives and Bureau of Labor Statistic Representatives conduct their surveys together). This means that an agency has considerable discretion concerning how a wage survey will be actually conducted (criteria, sample size etc.) and the degree of employee participation in these surveys has varied from none to full participation. The Army-Air Force Wage Board has had a policy of consultation with employee groups on methods and offered hearings on suggestions. The Navy has had a policy of participation, including review of data and findings by selected employee representatives.<sup>6</sup>

c. Turnover rates of the Federal Government and Manufacturing Industries: The average monthly turnover rates per 100 employees is as follows:

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<sup>6</sup>President's Task Force on Employee-Management Relations, Staff Report I, op. cit., Staff Paper No. 10, pp. 37-38.

	<u>Federal Government</u>	<u>Manufacturing Industries</u>
Accession Rate	1.9	3.4
Quit	.6	.8
Discharge	.1	.2
Lay Off	.5	1.9
Other	.3	.4 7

d. Employee Councils: Most of the larger agencies, including the Army, Air Force and Navy, had councils at many of their activities. The council representatives were often required to be an agency employee and they were usually elected by the workers but sometimes they were designated by management. This system was intended to provide for an expression of employee views. Although some actual consultation took place between the council representatives and management, the response to the Task Force questionnaire would indicate that the councils were not too successful. None of the councils handled grievances or other individual problems. However, the councils did act as a means of upwards communication to management. Typical subjects covered were promotions, working conditions, and fringe benefits. Occasionally some councils handled such items as tours of duty, use of leave, parking, transportation, employee services and operating methods.<sup>8</sup>

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<sup>7</sup>President's Task Force on Employee-Management Relations, Staff Report I, op. cit., Staff Paper No. 11, p. 39.

<sup>8</sup>President's Task Force on Employee-Management Relations, Staff Report I, op. cit., Staff Paper No. 12, pp.41-42 and Staff Report II, pp.2-3.

e. Supervisors in relation to the bargaining unit: Neither legislative history or the Wagner Act (1935) contain any reference to the position of supervisors. Treatment of supervisors therefore has depended on the administrative discretion of the NLRB. In general, supervisors were excluded from bargaining units except where there was a long-established tradition of union organizations with supervisors as members, such as in the printing trade. Prior to 1943 the Board found units composed solely of supervisors as appropriate. In 1943 the Board ruled against these types of units and then in 1945 the Board again sustained a supervisory bargaining unit. In the following year, 1946, the Board found a unit appropriate that had both supervisors and rank-and-file. In terms of protecting supervisors from discrimination, the NLRB has always considered supervisors as employees within the meaning of the act.

The Taft-Hartley (1947) amendments to the National Labor Relations Act almost entirely removed supervisors from the protection of the Board. The definition of an employee was amended to exclude anyone employed as a supervisor. A supervisor was defined as:

any individual having authority, in the interest of the employer, to hire, transfer, suspend, lay-off, recall, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, or to adjust their grievance.

Supervisors can still join unions, but the employer is not

compelled to recognize them for collective bargaining.<sup>9</sup>

f. Time off for employee organization work, prevailing practice:

In private industry shop stewards or committeemen are frequently called away from their regular jobs to carry out their union responsibilities. Many collective agreements protect these union representatives, while doing this union work, from loss of wages or to limit the amount of compensable time available for such purposes. Whether the employee will be allowed time off for union functions depends on the type of union duties to be performed. Time off is usually not allowed to attend union meetings, enlist new workers or attend conventions; but time off is frequently allowed to handle grievances, contract negotiations, and participation in joint labor-management committees concerned with such issues as safety, apprenticeship training or incentive plans. However, the paid time off usually had limitations such as: (a) confined to regular working hours, (b) in grievance procedures limited to a fixed number of employees or certain union officials and a specific limit in time or money for arbitration cases.<sup>10</sup>

In the Federal Civil Service the actual details of employment rest within the discretion of the head of the department. As a result of

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<sup>9</sup>President's Task Force on Employee-Management Relations, Staff Report I, op. cit., Staff Paper No. 14, pp.45-46.

<sup>10</sup>President's Task Force on Employee-Management Relations, Staff Report I, op. cit., Staff Paper No. 17, pp.63-64.



this departmental leeway there have been many instances where agencies have granted absences, not charged to leave, for such things as voting, blood donations and collections for charitable organizations. In addition, it had been a practice to grant "official leave" for purposes related to, although not part of, the official duties of employees such as civic duties closely related to the national interest and which could not be attended by the employee after working hours. Examples of this are registration for the draft, health examinations, promotion interviews or even bar (law) examinations. Then a number of agencies, without expressed provisions, have allowed the collection of union dues during working hours provided no substantial amount of Government time is involved. The LaFollette Act (1912) simply provides that the membership in a union may not constitute a reason for demotion or removal from service. Executive Order 9830 of 1947 only required a recognition of the employees' right to join or refrain from joining organizations or associations without interference, coercion, restraint or fear of discrimination. Therefore, the Task Force was not surprised, lacking any central policy statements in this area, that employee-management relations varied from agency to agency concerning the treatment given to union organizations.

However, most agencies made bulletin boards available for union literature and Government space available for union meetings after working hours. Some special agencies such as TVA and Bonnaville

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Power had written agreements concerning employees' duties as union representatives while on the job and others permitted unions to use Government facilities to run newspapers and print union releases.<sup>11</sup>

g. Employee Organizations in the Federal Service: For the Federal Government as a whole, 33% of all employees belong to employee organizations. The membership percentage varies widely with different agencies. The Post Office reports 84%, TVA 82%, St. Lawrence Seaway 80%, Panama Canal Company 67%, Government Printing 54%, and the National Gallery of Art 46%; but 17 of the 57 agencies surveyed had no representation. In the case of the Defense Agencies, Air Force reports 9%, Army 11%, Navy 29%, and the Office of the Secretary of Defense only 2%. In 1961, the three Defense Agencies had dealings with the following number of total employee organizations: Navy 1,403; Army 253; and Air Force more than 150.<sup>12</sup>

h. Problems reported concerning labor relations: Forty agencies reported no particular problems, but 17 agencies had a variety of problems. A common complaint was that the union leaders were inexperienced and/or irresponsible. Concerning Defense Agencies' problems,

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<sup>11</sup>President's Task Force on Employee-Management Relations Staff Report I, op. cit., Staff Paper No. 18, p. 65, 67; Staff Report II, pp.18-19.

<sup>12</sup>President's Task Force on Employee-Management Relations Staff Report II, op. cit., pp.11-13.

the Air Force reported the following: (a) Unions appealed to Congress when immediate satisfaction was not obtained for management; (b) there was a lack of union cooperation; (c) the multiplicity of employee organizations created an administrative burden. The Navy reported the following: (a) employee organizations showed a lack of cooperation and would not accept the Departmental rulings as final and (b) unions, at times, wasted time on trivial complaints and the employees tended to spend too much time on union activities. Both the Air Force and the Navy felt the size of the union was a relative factor concerning the degree of cooperation given and the Navy recommended that agendas be established prior to union-management meeting.<sup>13</sup>

The thirty employee organizations that responded to this survey indicated a fairly wide-spread dissatisfaction with employee-management relations. Comments were made that management does not negotiate in good faith, excellent national policies were established but these policies are ignored in the field, the existing grievance procedure is considered inadequate and employee councils were little more than "company unions." Labor relations in the agencies were generally felt ineffective for the following reasons:

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<sup>13</sup>President's Task Force on Employee-Management Relations, Staff Report II, op. cit., pp. 23-25.



1. Reluctance on the part of management in the field to acknowledge Unions as legitimate.

2. Anti-union attitudes on the part of some local administrators and supervisors.

3. Unwillingness of some management officials, at all levels, to deal frankly and honestly with Unions.

4. Too much "lip service" and little concrete cooperation.

5. Management going through the motions of consultation when a prior decision had already been made.<sup>14</sup>

i. Testimony at Task Force Hearings pertaining to Defense Agencies: In addition to the problem areas already brought out, testimony before the Task Force supported the following concerning Defense Agencies:

(1) Wages are not the real area of disagreement. Disputes over working conditions and hours are the primary problem areas.

(2) Unions experience difficulties with Commanding Officers who had had little past industrial relations experience and Unions must have written agreements on all resolved issues since there is a constant change-over in Commanding Officers with little managerial continuity.<sup>15</sup>

(3) Too many grievance systems now exist and there should be no discrimination favoring veterans in grievances.

(4) Replacement of civilians by the military is a potential major problem that should be subject to negotiations.

(5) A major problem is the wide variation of labor relations as practiced in the field. In addition there is a reluctance on the part

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<sup>14</sup> President's Task Force on Employee-Management Relations, Staff Report II, op. cit., pp. 27-29.

<sup>15</sup> President's Task Force on Employee-Management Relations, Staff Report III, op. cit., p. 6, 43.

of headquarters to question poor field practices.<sup>16</sup>

j. Grievance Procedures: In all agencies the grievance starts with an oral presentation of the problem to the employee's immediate supervisor. The second step of a typical grievance is a presentation to the next-in-line supervisor with varying amounts of formality. The third step takes the grievance to the installation command level. It was felt that in the future there may be a need for an impartial board acting in an advisory capacity to the Commanding Officer.<sup>17</sup>

In addition, more effort is needed to resolve grievances within the agencies rather than having them escalate to the Secretary level. In order to accomplish this, a greater degree of standardization and a greater measure of equity to employees is needed.<sup>18</sup>

With the above special problem areas established, it must be remembered that a number of the smaller agencies practically have no labor relations program or policy. Then it must also be emphasized that no matter how desirous an agency may be to respond to the wishes of workers and negotiate on matters of mutual interest, in the current state of the political arc, most important matters effecting Federal

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<sup>16</sup>President's Task Force on Employee-Management Relations, Staff Report III, op. cit., p. 55, 89, 103.

<sup>17</sup>President's Task Force on Employee-Management Relations, Staff Report V, op. cit., pp. 7-8.

<sup>18</sup>A Policy for Employee-Management Cooperation in the Federal Service (Washington: U. S. Government Printing Office, Nov. 30, 1961), pp.22-24.

employees are actually determined by Congress.<sup>19</sup> However, the Task Force believed that the time had arrived to establish a government-wide Presidential policy which would acknowledge the legitimate role which these employee organizations should have in the formulation and implementation of personnel policies and practices. The Task Force then made specific recommendations and proposals that were incorporated into Executive Order 10987 (Agency Systems for Appeals from Adverse Actions) and Executive Order 10988 (Employee-Management Cooperation in the Federal Service) both of which were signed by the President on 17 January 1962 and thereby established a milestone in Federal employee-management relations.

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<sup>19</sup>Ibid., p. 8.

## CHAPTER IV

### Executive Order 10988, A Sectional Analysis

Executive Order 10988, and its sister order, Executive Order 10987, are considered to have ushered in a "New Era" in Employee-Management Relations as the first major policy change in fifty years.<sup>1</sup>

#### Preamble

WHEREAS participation of employees in the formulation and implementation of personnel policies affecting them contributes to effective conduct of public business; and

WHEREAS the efficient administration of the Government and the well-being of employees require that orderly and constructive relationships be maintained between employee organizations and management officials; and

WHEREAS subject to law and the paramount requirements of the public service, employee-management relations within the Federal service should be improved by providing employees an opportunity for greater participation in the formulation and implementation of policies and procedures affecting the conditions of their employment; and

WHEREAS effective employee-management cooperation in the public service requires a clear statement of the respective rights and obligations of employee organizations and agency management;

NOW THEREFORE, by virtue of the authority vested in me by the Constitution of the United States, by section 1753 of the Revised Statutes (5 U.S.C. 631), and as President of the United States, I hereby direct that the following policies shall govern officers and agencies of the executive branch of the Government in all dealings with Federal employees and organizations representing such employees.

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<sup>1</sup>John W. Macy, Jr., "New Era in Employee-Management Relations," Civil Service Journal, (January-March 1962), p. 122.



The Preamble sets forth the objectives and intent of this Executive Order which the Civil Service Commission has summarized as providing for:

- a. Orderly and constructive employee-management relations.
- b. Greater employee participation in the formulation of policies and practices affecting their employment.
- c. A clear statement of the rights and objectives of union and management.<sup>2</sup>

The Preamble and section 1 of the order are interpreted a bit differently by some AFL-CIO Unions. They considered this part of the order to follow a close parallel to the original language of the Wagner Act of 1935, which was designed to permit Unions in the private sector to become strong and be able to negotiate written contracts. Likewise, the Preamble and section 1, are considered to have been designed to assist Government Unions to grow and become strong by insuring Federal employees the guaranteed right to freely, without fear of reprisal, join and form unions and bargain collectively. Further, it is considered that Unions may present their views and participate to a degree, with the Executive Legislative branch of the Government without interference.<sup>3</sup>

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<sup>2</sup>U.S. Civil Service Commission, Federal Personnel Manual System Letter No. 700-1, April 24, 1962, Attachment page 2.

<sup>3</sup>International Association of Machinists, Executive Order 10988, What It Means to You, A Report prepared by IAM-AFL-CIO, (Washington:

## Section 1

Section 1. (a) Employees of the Federal Government shall have, and shall be protected in the exercise of the right freely and without fear of penalty or reprisal, to form, join and assist any employee organization or to refrain from any such activity. Except as hereinafter expressly provided, the freedom of such employees to assist any employee organization shall be recognized as extending to participation in the management of the organization and acting for the organization in the capacity of an organization representative, including presentation of its views to officials of the executive branch, the Congress or other appropriate authority. The head of each executive department or agency (hereinafter referred to as "agency") shall take such action, consistent with law, as may be required in order to assure that employees in the agency are apprised of the rights described in this section, and that no interference, restraint, coercion or discrimination is practiced within such agency to encourage or discourage membership in any employee organization

(b) The rights described in this section do not extend to participation in the management of an employee organization or acting as a representative of any such organization, where such participation or activity would result in a conflict of interest or otherwise be incompatible with law or with the official duties of an employee.

Section 1(a) contains the basic policy statement of the Executive Order. In addition to establishing the basic rights of employees, management is required to maintain a neutral attitude toward their employees joining or not joining unions regardless of the recognition an organization may achieve. Through this approach management's relations with Unions will be more or less formal depending on the degree

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IAM AFL-CIO, 1962), p. 4. Note: Miss Ida Klaus, who was in the Task Force, stated that the Executive Order was modeled after New York City's Order on labor relations (Society for Personnel Administration 1963 Conference, 23 May 1963, Washington, D. C.).

of recognition to which the employee organization is entitled, but management must demonstrate a willingness to deal with employee organizations. However, this willingness to deal with unions does not extend to the making of statements that might be interpreted as encouraging the employees to join a Union or making available the names of the employees for soliciting purposes.<sup>4</sup>

Section 1(b) indicates a possible conflict of interest for some employees. Key employees who make or recommend management policies or direct, control or supervise the operations of personnel or those employees closely associated with such direction or control generally carry responsibilities that are incompatible with Union leadership in a Union of the rank and file. Although it appears that an agency can require all supervisors to refrain from holding office in a Union, each issue and case should be judged on its own merits.<sup>5</sup> In the case of a typical white collar agency, Bureau of Naval Personnel, this would only exclude a few supervisors that work closely with and advise the Chief of the Bureau.<sup>6</sup> However, there is a difference between Union

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<sup>4</sup>U. S. Civil Service Commission, op. cit., Attachment p. 203.

<sup>5</sup>Statement by Mr. A. T. Herrick, Special Assistant Sec. of Labor, 27 June 1963, George Washington University Lecture.

<sup>6</sup>Bureau of Naval Personnel Briefing on Executive Order 10988, 12 June 1962, Washington, D. C.



office holding and just having membership in a Union. All employees have the right to join a lawful Union whether or not engaged in management, personnel or similar duties.

## Section 2

Sec. 2. When used in this order, the term "employee organization" means any lawful association, labor organization, federation, council or brotherhood having as a primary purpose the improvement of working conditions among Federal employees, or any craft, trade or industrial union whose membership includes both Federal employees of private organizations; but such term shall not include any organization (1) which asserts the right to strike against the Government of the United States or any agency thereof, or to assist or participate in any such strike, or which imposes a duty or obligation to conduct, assist or participate in any such strike, or (2) which advocates the overthrow of the constitutional form of Government in the United States, or (3) which discriminates with regard to the terms or conditions of membership because of race, color, creed, or national origin.

This section outlines the type of Union that qualifies under the order. For practical purposes all the Unions and trade councils (example: Metal Trades) historically dealing with the Federal Government qualify, except for a few southern employee organizations that currently practice racial discrimination. "Employee councils" of the type that are sponsored by management are not included by the term "council" in this order. "Employee councils" can continue to function except where a Union has exclusive recognition, but an employee council is not an employee organization within the meaning of the Executive Order.<sup>7</sup>

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<sup>7</sup> U. S. Civil Service Commission, op. cit., Attachment, pp. 6-7, plus interviews with NFFE and AFGE officials concerning southern employee organizations.



### Section 3. According Recognition

Sec. 3. (a) Agencies shall accord informal, formal or exclusive recognition to employee organizations which request such recognition in conformity with the requirements specified in sections 4, 5 and 6 of this order, except that no recognition shall be accorded to any employee organization which the head of the agency considers to be so subject to corrupt influences of influences opposed to basic democratic principles that recognition would be inconsistent with the objectives of this order.

(b) Recognition of an employee organization shall continue so long as such organization satisfies the criteria of this order applicable to such recognition; but nothing in this section shall require any agency to determine whether an organization should become or continue to be recognized as exclusive representative of the employees in any unit within 12 months after a prior determination of exclusive status with respect to such unit has been made pursuant to the provisions of this order.

(c) Recognition, in whatever form accorded, shall not--

(1) preclude any employee, regardless of employee organization membership, from bringing matters of personal concern to the attention of appropriate officials in accordance with applicable law, rule, regulation, or established agency policy, or from choosing his own representative in a grievance or appellate action; or

(2) preclude or restrict consultations and dealings between an agency and any veterans organization with respect to matters of particular interest to employees with veterans preference; or

(3) preclude an agency from consulting or dealing with any religious, social, fraternal, or other lawful association, not qualified as an employee organization, with respect to matters or policies which involve individual members of the association or are of particular applicability to it or its members, when such consultations or dealings are duly limited so as not to assume the character of formal consultation on matters of general employee-management policy or to extend to areas where recognition of the interests of one employee group may result in discrimination against or injury to the interests of other employees.

According recognition can be considered the heart of this Order.

Official recognition means status. It is a major motivating force for Union leaders to increase their organizational membership.<sup>8</sup>

On the other hand, NFFE questions the constitutionality of this Order and recommends that this section be revoked.<sup>9</sup>

Specifically this section sets forth the criteria for recognition and once exclusive recognition has been granted it establishes a recognition period of 12 months, commencing with the date of first recognition and not from the date the contract is signed. This detail differs from the Taft-Hartley Act under which the time interval of bargaining status is determined from the date the contract is signed. In addition, regardless of the form of recognition, the individual employee may still choose his own representative in a grievance action. Thus, organizations such as the American Legion or NAACP may represent their members; but, these latter organizations do not qualify for recognition as employee organizations for any of the three types of recognition provided in this Order.

#### Section 4. Informal Recognition

Sec. 4. (a) An agency shall accord an employee organization, which does not qualify for exclusive or formal recognition, informal recognition as representative of its member employees without regard to whether any other employee organization has

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<sup>8</sup> AFGE News Service Bulletin to Lodge Presidents, National Vice Presidents and National Representatives of AFGE, OEIU #2, Washington, D. C., 1962.

<sup>9</sup> NEFE President's Letter No. 21 of August 16, 1962 to Presidents of all NEFE Locals, Washington, D. C.

been accorded formal or exclusive recognition as representative of some or all employees in any unit.

(b) When an employee organization has been informally recognized, it shall, to the extent consistent with the efficient and orderly conduct of the public business, be permitted to present to appropriate officials its views on matters of concern to its members. The agency need not, however, consult with an employee organization so recognized in the formulation of personnel or other policies with respect to such matters.

This section provides for "informal" recognition, the same kind under which Federal employees have operated for years. Informal recognition is granted to any organization that meets the required criteria. Most AFL-CIO Unions feel this section is a handicap which limits the true meaning of a signed contract and forfeits some Union benefits.<sup>10</sup> However, informal recognition is important to the other employee organizations when a rival union has already established other exclusive recognition.

#### Section 5. Formal Recognition

Sec. 5. (a) An agency shall accord an employee organization formal recognition as the representative of its members in a unit as defined by the agency when (1) no other employee organization is qualified for exclusive recognition as representative of employees in the unit, (2) it is determined by the agency that the employee organization has a substantial and stable membership of no less than 10 per centum of the employees in the unit, and (3) the employee organization has submitted to the agency a roster of its officers and representatives, a copy of its constitution and by-laws, and a statement of objectives. When in the opinion of the head of an agency, an employee organization has a sufficient

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<sup>10</sup> IAM, Executive Order 10988, What It Means to You, op. cit., p. 7.



number of local organizations or a sufficient total membership within such agency, such organization may be accorded formal recognition at the national level, but such recognition shall not preclude the agency from dealing at the national level with any other employee organization on matters affecting its members.

(b) When an employee organization has been formally recognized, the agency, through appropriate officials, shall consult with such organization from time to time in the formulation and implementation of personnel policies and practices, and matters affecting working conditions that are of concern to its members. Any such organization shall be entitled from time to time to raise such matters for discussion with appropriate officials and at all times to present its views thereon in writing. In no case, however, shall an agency be required to consult with an employee organization which has been formally recognized with respect to any matter which, of the employee organization were one entitled to exclusive recognition, would not be included within the obligation to meet and confer, as described in section 6(b) of this Order.

This section provides for formal recognition of a labor organization as the first step toward possible exclusive recognition. The "formal" type requires at least a 10% membership in the proposed bargaining unit. The principal problem associated with this section is the determination, by the agency, of what constitutes as appropriate unit. Once the unit has been determined, and in borderline cases where membership may not be quite 10%, management may further have to obtain exact figures of membership. One suggested method of verification is through an audit by a Certified Public Accountant.<sup>11</sup> Then at the national level recognition is established similar to the recognition provisions of the National Railroad Labor Act. National formal recognition may be granted when an organization has, in the judgment of the agency, a sufficient

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<sup>11</sup>U. S. Civil Service Commission, op. cit., Attachment, p. 12.



number of members or locals to warrant recognition. This may be more or less than 10%. However, if one union has exclusive recognition in a unit, no other organization can be granted formal recognition no matter how many members it may have. In this case the other groups would revert to the informal status. In addition, formal recognition does not secure the right to a written contract, binding upon an agency, for the employee organization. But this recognition does give the employee organization the right to be consulted on matters of interest to its members, but not to speak for non-members. At this level management has an obligation to seek the views of such recognized organizations from time to time. Appropriate subjects for consultation might be any, but not necessarily limited to, of the following: (a) policy on grievances and appeals, (b) working conditions and schedules, (c) career policies and procedures (promotions, training, RIF's, etc.) (d) employee benefits and services, and (e) policy on pay.<sup>12</sup>

#### Section 6. Exclusive Recognition

Sec. 6. (a) An agency shall recognize an employee organization as the exclusive representative of the employees, in an appropriate unit when such organization is eligible for formal recognition pursuant to section 5 of this Order, and has been designated or selected by a majority of the employees of such unit as the representative of such employees in such unit. Units may be established on any plant or installation, craft, functional or other basis which will ensure a clear and identifiable community of interest among the employees concerned, but no unit shall be established solely on the basis of the extent to which employees in the proposed unit have

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U. S. Civil Service Commission, op. cit., Attachment, pp.13-15.

organized. Except where otherwise required by established practice, prior agreement, or special circumstances, no unit shall be established for purposes of exclusive recognition which includes (1) any managerial executive, (2) any employee engaged in Federal personnel work in other than a purely clerical capacity, (3) both supervisors who officially evaluate the performance of employees and the employees whom they supervise, or (4) both professional employees and nonprofessional employees unless a majority of such professional employees vote for inclusions in such unit.

(b) When an employee organization has been recognized as the exclusive representative of employees of an appropriate unit it shall be entitled to act for and to negotiate agreements covering all employees in the unit and shall be responsible for representing the interests of all such employees without discrimination and without regard to employee organization membership. Such employee organization shall be given the opportunity to be represented at discussions between management and employees or employee representatives concerning grievances, personnel policies and practices, or other matters affecting general working conditions of employees in the unit. The agency and such employee organization, through appropriate officials and representatives, shall meet at reasonable times and confer with respect to personnel policy and practices and matters affecting working conditions, so far as may be appropriate subject to law and policy requirements. This extends to the negotiation of an agreement, or any question arising thereunder the determination of appropriate techniques, consistent with the terms and purposes of this Order, to assist in such negotiation, and the execution of a written memorandum of agreement or understanding incorporating any agreement reached by the parties. In exercising authority to make rules and regulations relating to personnel policies and practices and working conditions, agencies shall have due regard for the obligation imposed by this section, but such obligation shall not be construed to extend to such areas of discretion and policy as the mission of an agency, its budget, its organization and the assignment of its personnel, or the technology of performing its work.

This section provides for the exclusive recognition of a union and the union opportunity to negotiate a written contract. It defines, on broad terms, the method of determining a bargaining unit on the basis of an "identifiable community of interest among the employees concerned." This is similar to the provisions of the Taft-Hartley Act.

Thus to obtain the exclusive right to speak for all employees of the unit the union concerned must be eligible for formal recognition and obtain an indication by more than 50% of the workers in the unit that they desire to be represented by this organization. Concerning the actual elections whenever they are held, the Civil Service Commission has indicated that a "representative vote" shall mean a minimum of 60% of those in the unit eligible to vote and the final selection would have to be by a majority of those voting.<sup>13</sup> In cases of three or more contesting groups (including "no union") a runoff with the top two is not considered appropriate.

Certain occupation exclusions (managerial and supervisory personnel) also exist from the bargaining unit. These exclusions are in line with those usually excluded under the Taft-Hartley Act. In addition, professional employees are not to be part of the unit unless a majority of the professional employees vote for such inclusion.

Then if an employee organization secures exclusive recognition in a unit, it can sit down with management and negotiate a written contract for all employees (at this point this group is the only formal recognized union) without regard to union membership but the negotiating union must represent the interests of all employees without discrimination. However, a criteria for any real success in negotiation

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<sup>13</sup>U. S. Civil Service Commission, op. cit., Attachment, p. 16, 22.



requires that each side must act in good faith and not try to destroy the basic authority of the other. To be able to understand the complexity of negotiations in this area we must realize that some Defense management officials have been hostile and skeptical of the Task Force's findings,<sup>14</sup> and some employee organizations such as the NFFE are protesting this section of the Order.<sup>15</sup> Even the AFL-CIO Metal Trade's President Gritta has expressed displeasure with the current interpretation of this section.<sup>16</sup> Looking ahead, the fine details of this section may prove difficult to fully interpret in such a manner as to promote cooperation and not be distorted or result in conflict and discord.

#### Section 7. Limitations on the Extent of Agreements

Sec. 7. Any basic or initial agreement entered into with an employee organization as the exclusive representative of employees in a unit must be approved by the head of the agency or an official designated by him. All agreements with such employee organizations shall also be subject to the following requirements, which shall be expressly stated in the initial or basic agreement and shall be applicable to all supplemental, implementing, subsidiary or informal agreements between the agency and the organization:

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<sup>14</sup> President's Task Force on Employee-Management Relations in the Federal Service, op. cit., Staff Report IV, Appendix II, Navy pp.1-3.

<sup>15</sup> NFFE President's letter, op. cit.

<sup>16</sup> Remarks of B. A. Gritta, President, Metal Trades Dept. AFL-CIO, Industrial Relations Conference, New Orleans, March 14, 1963 (in the files of AFL-CIO).



(1) In the administration of all matters covered by the agreement officials and employees are governed by the provisions of any existing or future laws and regulations, including policies set forth in the Federal Personnel Manual and agency regulations, which may be applicable and the agreement shall at all times be applied subject to such laws, regulations and policies.

(2) Management officials of the agency retain the right, in accordance with applicable laws and regulations, (a) to direct employees of the agency, (b) to hire, promote, transfer, assign, and retain employees in positions within the agency, and to suspend, demote, discharge or take other disciplinary action against employees, (c) to relieve employees from duties because of lack of work or for other legitimate reasons, (d) to maintain the efficiency of the Government operations entrusted to them, (e) to determine the methods, means and personnel by which such operations are to be conducted; and (f) to take whatever actions may be necessary to carry out the mission of the agency in situations of emergency.

This section sets the boundaries for negotiations and outlines management prerogatives. All agreements reached are to conform to the present laws or to be amended to conform with future laws, rules, and regulations governing Federal employment. Of course, unions can present their views to Congress, the President, the Civil Service Commission, and the agencies on any matter and attempt to sell their viewpoint when new laws, rules, and regulations are being drafted.<sup>17</sup>

#### Section 8. Employee Grievances and Appeals

Sec. 8. (a) Agreements entered into or negotiated in accordance with this Order with an employee organization which is the exclusive representative of employees in an appropriate unit may contain provisions, applicable only to employees in the unit, concerning procedures for consideration of grievances. Such procedures (1)

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<sup>17</sup>U. S. Civil Service Commission, op. cit., Attachment, p. 26.

shall conform to standards issued by the Civil Service Commission, and (2) may not in any manner diminish or impair any rights which would otherwise be available to any employee in the absence of an agreement providing for such procedures.

(b) Procedures established by an agreement which are otherwise in conformity with this section may include provisions for the arbitration of grievances. Such arbitration (1) shall be advisory in nature with any decisions or recommendations subject to the approval of the agency head; (2) shall extend only to the interpretation or application of agreements or agency policy and not to changes in or proposed changes in agreements or agency policy; and (3) shall be invoked only with the approval of the individual employee or employees concerned.

Agreements negotiated with unions that have exclusive recognition may contain grievance procedures for the particular unit. These procedures must conform to the Civil Service Commission standards and may not impart any rights otherwise available to any employee in the absence of an agreement. In the future the handling of grievances may be the central element of the whole employee-management relations program.<sup>18</sup> The Task Force felt that most large agencies would find that it was both necessary and desirable to provide unions with a definite role in the grievance procedures.

In addition, the right to use advisory arbitration by a neutral third party was established. Such arbitration must be confined to the application of the contract and not to changes, or proposed changes, in agreements or agency policy.

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<sup>18</sup>Ann Holland, Unions are Here to Stay (Washington: Society for Personnel Administration, 1963), Pamphlet No. 17, p. 24.

## Section 9. Use of Official Time and Facilities for Union Activities

Sec. 9. Solicitation of memberships, dues, or other internal employee organization business shall be conducted during the non-duty hours of the employees concerned. Officially requested or approved consultations and meetings between management officials and representatives of recognized employee organizations shall, whenever practicable, be conducted on official time, but any agency may require that negotiations with an employee organization which has been accorded exclusive recognition be conducted during the non-duty hours of the employee organization representatives involved in such negotiations.

This section applies to the conduct of union and management relations and the every day functions of the local union officials or shop stewards. Whenever practicable grievances and contract application are to be conducted on official time. Contract negotiations, at the request of the Agency, may be conducted during non-duty hours. This is in keeping with industrial contracts, many of which are negotiated on neutral ground (e.g. not in the factory or union headquarters but in a hotel or motel, etc.). Actually quite a few AFL unions prefer the negotiations to be conducted after working hours on neutral ground but past experience with government management shows a reluctance on their part to work on their free time.<sup>19</sup> While the use of official duty time for the conduct of internal union business is prohibited, it should be pointed out this limitation is not in keeping with private industrial contracts or with the past practices of many of the Federal agencies which had permitted "reasonable" union business during working hours. This section is already under fire and the AFL-CIO

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<sup>19</sup> Interview, Mr. J. Burns, Legal Counsel, IAM, Washington, D. C., 4 June 1963.



unions consider it, for practical purposes, as subject to further negotiation.<sup>20</sup> In the case of the National Maritime Union (NMU) this provision is impractical and the Department of Defense has already made an exception in their case.<sup>21</sup>

#### Section 10. Agency Politics and Regulations

Sec. 10. No later than July 1, 1962, the head of each agency shall issue appropriate policies, rules and regulations for the implementation of this Order, including: A clear statement of the rights of its employees under the Order; policies and procedures with respect to recognition of employee organizations; procedures for determining appropriate employee units; policies and practices regarding consultation with representatives of employee organizations, other organizations and individual employees; and policies with respect to the use of agency facilities by employee organizations. Insofar as may be practicable and appropriate, agencies shall consult with representatives of employee organizations in the formulation of these policies, rules and regulations.

This section required the agencies, insofar as practicable, to consult with their employee organizations no later than 1 July 1962 on the policies that affected the implementation of this order. In establishing agency wide regulations in this area it was considered appropriate for the agencies to talk primarily with the national offices of the unions rather than to deal with the local officials. However, no agency was to establish such detailed national regulations

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<sup>20</sup>IAM, Executive Order 10988, What It Means to You, op. cit., p. 15.

<sup>21</sup>Interview with James F. Patterson, NMU, Public Relations and Research, Washington, D. C., 3 June 1963. NMU files contain DOD and MSTs correspondence authorizing NMU representatives to board MSTs ships to conduct union business during working hours.



that there would be no room or need for further dealings with employee organizations at the local level.<sup>22</sup>

#### Section 11. Determination of Units and Majority Status

Sec. 11. Each agency shall be responsible for determining in accordance with this Order whether a unit is appropriate for purposes of exclusive recognition and, by an election or other appropriate means, whether an employee organization represents a majority of the employees in such a unit so as to be entitled to such recognition. Upon the request of any agency, or of any employee organization which is seeking exclusive recognition and which qualified for or has been accorded formal recognition, the Secretary of Labor, subject to such necessary rules as he may prescribe, shall nominate from the National Panel of Arbitrators maintained by the Federal Mediation and Conciliation Service, one or more qualified arbitrators who will be available for employment by the agency concerned for either or both of the following purposes, as may be required: (1) to investigate the facts and issue an advisory decision as to the appropriateness of a unit for purposes of exclusive recognition and as to related issues submitted for consideration; (2) to conduct or supervise an election or otherwise determine by such means as may be appropriate, and on an advisory basis, whether an employee organization represents the majority of the employees in a unit. Consonant with law, the Secretary of Labor shall render such assistance as may be appropriate in connection with advisory decisions or determinations under this section, but the necessary costs of such assistance shall be paid by the agency to which it relates. In the event questions as to the appropriateness of a unit or the majority status of an employee organization shall arise in the Department of Labor, the duties described in this section which would otherwise be the responsibility of the Secretary of Labor shall be performed by the Civil Service Commission.

This section stipulates that each agency is responsible for determining the appropriateness of a unit for the purpose of exclusive recognition and to determine if the union represents a majority of the

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<sup>22</sup>U. S. Civil Service Commission, op. cit., Attachment, p. 30.

employees so as to qualify for exclusive recognition. The majority status may be determined by an election or other appropriate means (check of current membership cards). Normally agencies will determine the appropriateness of a unit and questions of majority status by means of their own devising; however, current advisory arbitration awards indicate that they should also consider, for what it is worth, NLRB rulings and private industrial practices of a similar nature before making a final decision.

Additionally, agencies may request the services of the Secretary of Labor. Upon a request from either an agency, or a union which desires exclusive recognition and qualifies for formal recognition, the Secretary of Labor may attempt to resolve or speed up the settlement of a dispute by the use of advisory arbitration. The cost of this assistance is to be paid by the agency.

#### Section 12. Responsibility for Technical Assistance

Sec. 12. The Civil Service Commission shall establish and maintain a program to assist in carrying out the objectives of this order. The Commission shall develop a program for the guidance of agencies in employee-management relations in the Federal service; provide technical advice to the agencies on employee-management programs; assist in the development of programs for training agency personnel in the principles and procedures of consultation, negotiation and the settlement of disputes in the Federal Service, and for the training of management officials in the discharge of their employee-management relations responsibilities in the public interest; provide for continuous study and review of the Federal employee-management relations program and, from time to time, make recommendations to the President for its improvement.

The Civil Service Commission has the responsibility to provide technical assistance to agencies, to train management officials in their

responsibilities under collective bargaining agreements and to provide for a continuous study and review of the Federal employee-management relations program.

The commission has sponsored training programs and has assisted many agencies in publishing information in this area. The first year's report of operations under the Executive Order was made to the President on 17 January 1963.<sup>23</sup>

### Section 13. Standards of Conduct and Fair Labor Practices

Sec. 13. (a) The Civil Service Commission and the Department of Labor shall jointly prepare (1) proposed standards of conduct for employee organizations and (2) a proposed code of fair labor practices in employee-management relations in the Federal service appropriate to assist in securing the uniform and effective implementation of the policies, rights and responsibilities described in this order.

(b) There is hereby established the President's Temporary Committee on the Implementation of the Federal Employee-Management Relations Program. The Committee shall consist of the Secretary of Labor, who shall be chairman of the Committee, the Secretary of Defense, the Postmaster General, and the Chairman of the Civil Service Commission. In addition to such other matters relating to the implementation of this Order as may be referred to it by the President, the Committee shall advise the President with respect to any problems arising out of completion of agreements pursuant to sections 6 and 7, and shall receive the proposed standards of conduct for employee organizations and proposed code of fair labor practices in the Federal service, as described in this section, and report thereon to the President with such recommendations or amendments as it may deem appropriate. Consonant with law, the departments and agencies represented on the Committee shall, as may be necessary for the effectuation of this section, furnish assistance to the Committee in accordance

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<sup>23</sup>U. S. Civil Service Commission, Progress in Employee-Management Cooperation in the Federal Service (Bureau of Programs and Standards, February 1963).



with section 214 of the Act of May 3, 1945, 59 Stat. 134 (31 U.S.C. 691). Unless otherwise directed the President, the Committee shall cease to exist 30 days after the date on which it submits its report to the President pursuant to this section.

The Civil Service Commission and the Department of Labor share a dual responsibility for the preparation of proposed standards of conduct and fair labor practices. So far, action in this area is quite similar to the procedures and regulations of the Labor-Management Reporting and Disclosure Act (Landrum-Griffin). In addition there was established, on a temporary basis, a "watchdog" committee composed of members of the original Task Force. This committee receives complaints and reviews the progress of collective bargaining. Some employee organizations object to this temporary committee while others feel the committee should be made permanent--possibly in some form of a "little NLRB."<sup>24</sup> Unions at the national level are negotiating on this point.

#### Section 14. Appeal Rights for Non-Veterans

Sec. 14. The head of each agency, in accordance with the provisions of this Order and regulations prescribed by the Civil Service Commission, shall extend to all employees in the competitive civil service rights identical in adverse action cases to those provided preference eligibles, under section 14 of the Veterans' Preference Act of 1944, as amended. Each employee in the competitive service shall have the right to appeal to the Civil Service Commission from an adverse decision of the administrative officer so acting, such appeal to be processed in an identical manner to that provided for appeals under section 14

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<sup>24</sup>NFFE President's letter No. 21 of August 1962, op. cit., and remarks of B. A. Gritta, President Metal Trades Department, AFL-CIO, op. cit.



of the Veterans' Preference Act. Any recommendation by the Civil Service Commission submitted to the head of an agency on the basis of an appeal by an employee in the competitive service shall be complied with by the head of the agency. This section shall become effective as to all adverse actions commenced by issuance of a notification of proposed action on or after July 1, 1962.

This section provides for the giving of equal appeal rights to all Federal employees against the adverse actions of agencies. The Task Force found much dissatisfaction with the double standard that existed between the rights of veterans and non-veterans in the handling of appeals.<sup>25</sup> In this connection unions currently are proposing further legislation that would particularly equalize veterans-non-veterans rights in governmental industrial type activities such as the Alaskan Railroad.<sup>26</sup>

#### Section 15. Continuation of Prior Agreements

Sec. 15. Nothing in this Order shall be construed to annul or modify, or to preclude the renewal or continuation of, any lawful agreement heretofore entered into between any agency and any representative of its employees. Nor shall this order preclude any agency from continuing to consult or deal with any representative of its employees or other organization prior to the time that the status and representation rights of such representative or organization are determined in conformity with this Order.

This is a "savings" clause to permit existing agreements and rights, established prior to the Executive Order, to continue. This order does not preclude any agency from continuing to consult with

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<sup>25</sup>Holland, op. cit., pp.25-26.

<sup>26</sup>The Evening Star (Washington), 19 June 1963, p. A2.

representatives of its employees or other organizations prior to the time that the status and representation rights of such representatives or organizations are determined under this Order.

Section 16. Exceptions

Sec. 16. This order (except section 14) shall not apply to the Federal Bureau of Investigation, the Central Intelligence Agency, or any other agency, or to any office, bureau or entity within an agency, primarily performing intelligence, investigative or security functions if the head of the agency determines that the provisions of this Order cannot be applied in a manner consistent with national security requirements and considerations. When he deems it necessary in the national interest, and subject to such conditions as he may prescribe, the head of any agency may suspend any provision of this Order (except section 14) with respect to any agency installation or activity which is located outside of the United States.

This last section sets forth that certain investigative and intelligence agencies are exempted from this Order and agency heads may suspend the provisions of the Order, in the national interest, with respect to installations or activities outside the United States.

The Research Design and Methods.

Measurement . . . is more than the pedantic pursuit of a decimal place. Its vital and absorbing aspect emerges most clearly perhaps when it becomes a question of measuring something that has never been measured before. Or better still, something that has been held to be unmeasurable.

S. S. Stevens<sup>1</sup>

Research is distinguished from casual observation and inference by its purpose, its method, and its point of view. Research seeks to test hypotheses and to find answers to problems by systematic investigation. This means that a carefully designed, planned appraisal and analysis is required of all relevant facts. Great care must be taken to maintain an objective evaluation as opposed to partisan argument in which facts may be selected to prove or justify a predetermined answer.

Research in the behavioral sciences is similar to research in the other sciences but in the behavioral area the development of a satisfactory research design is particularly difficult when carried out or observed in a real life setting.<sup>2</sup> This means there is no magic "scientific method" for measuring observations, establishing meaningful patterns, deducing casual relations, or determining which nonquantified

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<sup>1</sup>Claire Selltitz et al. Research Methods in Social Relations (New York: Holt, Rinehart & Winston, 1962), p. 146 citing S. S. Stevens.

<sup>2</sup>Ibid., p. 14.

data is appropriate to be used. The greatest technical problems will be in the developing of means for correlating and interpreting a large body of quantified and unquantified data.<sup>3</sup>

Mindful of the complexities of behavioral science research, the author's first step was one of observation. The observation began in early 1962, while I was stationed in the Bureau of Naval Personnel, Washington, D. C. At this time I was aware of the possibility of having the opportunity to pursue a research project at the Postgraduate School and therefore I began to "sit" with the fascinating employee-management situation and to confer with Professor Ecker of the Management section of the School. After observing numerous union and management conferences, sitting in on some grievance hearings, conferring with various leaders in this field and having accumulated abundant notes from the U. S. Civil Service Commission Library, the initial determination of the problem could be made. The problem as stated in Chapter I, like many behavioral science areas, presents difficulties in establishing a measure of effectiveness. By itself, insufficient statistical information existed; and by themselves, the results from interviews and questionnaires appeared inadequate when

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<sup>3</sup> Cecil E. Goode, "Putting Organizational Research to Use."  
A talk delivered at the Research Conference on Behavior in Organizations,  
Social Science Research Institute, University of Georgia, Athens, Georgia,  
May 2, 1962.



pretested. Therefore it appeared that the situation was typical of social research, it would require a series of methods for measurement of the problem. Realizing also that the "best" research design would depend on the practical perimeters of the problem (the degree of cooperation I could expect in researching management and union files, conducting interviews etc., and my logistic capabilities) I began the project with a background research and an exploratory study; the results of this work are reported in Chapters II through IV. From this I was able to establish many indications of what the actual status of Federal employee-management relations was prior to the enactment of Executive Order 10988. Additionally, I was able to determine the Order's stated objectives and realized that I could expect to receive excellent cooperation from both management and union officials as I continued this study.

As a result of this advance work it appeared that the best medium for obtaining indications of the impact of the Executive Order, including direction and magnitude of changes, was by the use of a combination of data collection methods and then a careful analyzing of the results for conclusions. It seemed, at this point, that a useful scaling technique to assist in analyzing the results was an Osgood type bipolar rating scale<sup>4</sup> upon which the individual measuring

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<sup>4</sup>Selltiz, op. cit., pp.382-383.

devices might cluster in some form so that I would be able to establish some finite conclusions.

The data collection devices which showed promise included a review of statistical records, observation (attending management/union meetings, arbitration hearings, interviews, etc.) use of questionnaires, quantitative (content) analysis of specialized news columnists who write on Federal Labor Relations, and finally a tabulation of critical incidents.

Specifically these data collecting devices were pointed toward and consisted of the following:

A. Statistical records

The exploratory and statistical research was designed to establish the "before" measurement prior to the Executive Order 10988. This was more than a simple review of the literature and the insight gained in this area was coordinated with the observation efforts. Appendix A is a tabulation of statistical repositories found to be most helpful. Research is restricted in the field of industrial and labor relations as conventional library resources are inadequate concerning coverage of contract agreement, convention proceedings, union constitution arbitration awards and similar documents. Fortunately the results reported in Chapter III, the President's Task Force Report, were most pertinent in this area. As reported in Chapter VI, the statistical results also assisted in establishing the "after" condition and indicated to some degree the direction and magnitude of any changes.

## B. Observations

Observations were made by attending all grievance and arbitration hearings while in Washington (five), management briefings (four), union meetings (two), and by monitoring union news releases and union newspapers (major inputs received were from NFFE, AFGE, NMU and the AFL-CIO Metal Trades) and by studying the texts of speeches given by union leaders. This data has been recorded, tested for validity (checked against statistical and questionnaire data), and tabulated on 5" by 8" cards, concerning the degree of support or nonsupport of the Executive Order in a manner similar to that developed by Good.<sup>5</sup>

## C. Interviews

As a result of the data obtained by observation and statistical review a plan for interviewing and construction of the questionnaire was formulated. First it consisted of determining who would be interviewed, second what the interview would cover and how it would be recorded, and third how reliability and validity would be checked.

It was determined that it would be feasible to interview representatives of all National Employee Organizations dealing with DOD activities (that had headquarters in Washington, D. C.) and to interview employee-management representatives of all Services, IOD

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<sup>5</sup>Carter V. Good and Douglas E. Scates, Methods of Research (New York: Appleton-Century Crafts, 1954), pp. 665-677.

(Manpower), DSA, Department of Labor and the Civil Service Commission. In addition, two professional arbitrators who had been handling Section 11 cases and three Washington newspaper Federal labor columnists were contacted. See Appendix B for a tabulation of type activities interviewed. Initially the interviews were with the arbitrators, the non DOD management representatives and the news columnists. From this a standardized format of the interview was determined, taking about twenty minutes, with several open-end flexible questions. In addition, all parties interviewed were notified that a confirmation questionnaire would follow to assure accuracy on my part concerning the recording of their response. This confirmation questionnaire, not to be confused with my general questionnaire, was designed to parallel the interview and give the interview a degree of reliability and validity. See Appendix C for samples of the confirmation questionnaires. The cooperation and response to the interviews was excellent. After covering the formal portion of the interview in a standardized manner (in order to assure consistency) many of the interviews developed into a free flexible exchange of information lasting up to two hours. I was able to evaluate not only what was said but how it was said and to appraise the validity of the response.

I considered that these structured sessions of the interviews assisted me in evaluating the respondent's emotional attitude towards union or management cooperation and leadership. Finally the confirmation questionnaires (Appendix C), were so constructed that some



of the "correct" answers were already known from the statistical research and therefore could be used as checks on validity.

#### D. Questionnaires

The questionnaire has several potential advantages over the other data collecting methods. It can be administered to large numbers at less expense, it can be more uniform, impersonal, have less pressure on the subject for an immediate response and assure the respondents a greater confidence in their anonymity so that views will be more freely expressed. However in using any questionnaire plan care must be taken to insure against a misleading result. To accomplish this an acceptable probability sampling plan and questionnaire had to be designed.

The sampling plan was devised by first determining the population or number of DOD activities that had been granted exclusive or formal recognition or had reported informal active participation with employee organizations. A master population list was compiled by using inputs from the Employee-Relations Offices of all services, the Civil Service Commission, and the Bureau of National Affairs. In January 1964, the population totalled 422. The next consideration in determining sample size was partly money but mostly the valuable time involved. A stratified sample of 110 was determined as the best compromise. It consisted of four Defense Supply Agency activities, six Marine activities (100% of these two organizations),

twenty-five Army, twenty-five Air Force and fifty Navy units. The specific activities and their corresponding employee organizations were determined by use of random digits from the Rand Corporation, "A Million Random Digits."

The questionnaire was designed using information gained from the interviews, personal observation and statistical research. The Task Force agency and employee organization questionnaires were used as a starting point. Research indicated a "Likert-type" scale was appropriate and a proposed questionnaire was completed for pretesting (Appendix D). In addition, the interview results indicated that some bias possibly existed in the labor relations area and some respondents were not reporting their "true" feelings. To explore this problem the construction of an indirect bias scale was attempted for possible inclusion in the final questionnaire, (Appendix E).

Appendices D and E were pretested on a small group--ten from the West Coast and twenty from the Washington area. Their response indicated that Appendix E was misunderstood and could not be successfully validated. The response did indicate that I was possibly on the right track in suspecting biased opinions in the labor relations area and might be worthy of future exploration. Concerning the initial questionnaire (Appendix D), the pretesting indicated that certain questions were ambiguous and should be reworded to reduce bias and increase rapport; and the five point "Likert" scale had an

inadequate number of divisions (the neutral point was obscure). As a result of the pretesting, the revised questionnaires were now made (Appendix F). These questionnaires used a seven point "Likert" scale, had several quantified items that could be checked against statistical data to establish validity and, based on the pretesting samples, appeared to have high reliability and validity.<sup>6</sup>

#### E. Quantitative (Content) Analysis

Although the technique of content analysis has been worked out primarily in relation to mass media it is applicable to a wide area of behavioral research.<sup>7</sup> Such an analysis proceeds under certain controls which make possible a systematic and objective review of communication content. While this technique could be applied to interviews, review of the literature or the statistical research data, it best applies in this case to the only mass media that I had--the writings of news columnists on Federal labor relations. The three principal communists were Jerry Kluttz of the Washington Post, Joseph Young of the Evening Star, and John Cramer of the Washington Daily News. I interviewed these three writers and also Dr. Wilson Hart (Labor Relations writer and government advisor on

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<sup>6</sup>Infra, p.81, while the final questionnaire was not pretested, the data obtained in the initial pretest and in the testing by interview gave a constructed reliability and validity in the range of .87+ and .76+ respectively.

<sup>7</sup>Selltiz, op. cit., pp. 335-342

employee-management relations) and after discussing my plan it was decided to run a content analysis of Kluttz's "The Federal Diary" and Young's "The Federal Spotlight" for the months of January and February from the files for the years of 1962 and 1963, and to extend the analysis of the January and February columns for the current year of 1964. Linebarger's format for the tabulation and recording of employee-management themes by source, audience and mission (with their individual strength values and column inch volumes), was used,<sup>8</sup> (Appendix G). Then after the interviews with the columnists and a trial content analysis, it was determined that the period of September-October 1961, 1962, and 1963 was the best time slice. The original period contemplated, January-February of the years 62, 63, and 64, had too high a correlation or contamination with the level of activity of the opening sessions of Congress.

#### F. Tabulation of Critical Incidents

This is the technique of recording or observing kinds of incidents which are especially critical in the sense that they are much more likely to lead to or bring about final actions/outcomes or political reactions. Some research authorities feel that this is a technique, in cases where such incidents are observable, that cannot be overlooked without jeopardizing the whole project.<sup>9</sup> Therefore, a

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<sup>8</sup>Paul M. Linebarger, Psychological Warfare (Washington: Combat Forces Press, 1954), pp. 110-131.

<sup>9</sup>John C. Flanagan, Chairman, Critical Requirements for Research



preliminary list of possible critical incident areas was started during the exploratory study and throughout this research project pertinent incidents were recorded and tested for relevancy. As expected most incidents of this type appear to be spontaneous demonstrations of "bad faith" by both management and/or union officials.

In all of the above data collecting methods the interview and questionnaire technique has been used either as a primary information source or a secondary source (test, retest, check for reliability or check for relevancy). Therefore, a word should be said about the testing which will be used in this design in an effort to keep errors to a minimum. The interviews will not cover all employee organizations reported in the Task Force Report as active with DOD activities. The smaller organizations and those whose headquarters were out of Washington, D. C. were contacted by questionnaire to determine if their response differed materially from the National Organizations interviewed. Then a random group of the non-responding activities were contacted by follow-up action (first by letter and then in some cases, by telephone). By these means the unknown factor of non-respondents was reduced and a check made to determine if their potential response differed substantially from the recorded data.

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Personnel (Pittsburgh: American Institute of Research, March 1949), pp. 6-7.

Finally, once the data had been collected, the observed, recorded and reported information was tabulated on cards to facilitate cross classification (sorting by sub-groups, sorting by one trait, then another, etc.); tested for reliability and validity (interview data checked against questionnaire data, test, retest data, etc.); and checked for significant trends. In addition, the pooling of the questionnaire data with the statistical results, the content analysis, personal observations and other research in this area increased both the reliability and the validity of the data.

## CHAPTER VI

### Results.

There is no magic "scientific method" for reducing the new data to a size that will permit meaningful patterns, if any, to be established. Likewise there is no standard method for deducting causal relationships or determining which non-quantified data is appropriate for use. In this project the method of collecting results and approaching an analysis was somewhat determined when the research design was formulated and tested through the exploratory research. In this case, the plan called for the collection of data by a number of methods (statistical records, personal observation, interviews, questionnaires, content analysis and critical incidents) and the analyzing of the results (after recording and codifying) for reliability, validity and significant patterns or clusters. Therefore, the results will be reported by the individual methods used and in the following chapter all results will be analyzed.

A. Where possible the statistical records results have been recorded on a "before" Executive Order basis, and on an "after" the Order basis. Specifically the following statistical observations were made:

Before	After
1. Reported total membership of all employee organizations in DOD Activities. <sup>1</sup>	Reported total membership of units having exclusive recognition. <sup>2</sup>

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<sup>1</sup>President's Task Force Report, op. cit., Staff Report II, pp. 10-11.

<sup>2</sup>Government Employee Relations Report (GERR), No. 15, December 23, 1963. Bureau of National Affairs, pp. B1-B8.

<u>Service</u>	<u>Before</u>			<u>After</u>		
	<u>No. of Employees</u>	<u>Member-ship</u>	<u>No. of "Unions"</u>	<u>Member-ship</u>	<u>No. of Units</u>	<u>No. of "Unions"</u>
Air Force	383,636	24,650	6	7,432	9	3
Army	345,614	39,331	6	20,327	69	14
Navy	330,809	96,528	13	69,403	103	20
Dept. of Defense	1,968	30		713	1	1
Marine Corps	15,000			2,325	5	2
2. Employee organization membership gains in the Federal Service 1958-1960.				Employee organization membership gains 1960-1962.		
	35,000				155,000 <sup>3</sup>	

Estimated 20% average gain all agencies.

3. Estimated current employee organization membership.

Army	50,000
Navy	100,000 <sup>4</sup>

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<sup>3</sup>Government Employee Relations Report (GERR), op. cit., No. 13, December 9, 1963, p. 2.

<sup>4</sup>Washington Post, May 21, 1963, p. B1 and infra, p. 82. In addition to these mid-1963 figures the Navy Department reports on 15 December total membership of 190,010 in employee organizations representing 106 exclusive, 42 formal and 298 "informal" recognitions.



	Before	After
4. Average monthly turnover rate		
	1.5	3.0 <sup>5</sup>
5. Number of Employee-Management relations bills introduced into Congress per year.		
	1961	1962
	30	16 <sup>6</sup>
6. Requests for Department of Labor nominations of Section 11 arbitrators by DOD agencies.		

Navy	35
Army	9
Air Force	8
Marine Corps	0
Dept. of Defense	0

To date, all advisory decisions, except six, involving DOD agencies have, in general, supported the position presented by at least one of the unions involved.<sup>7</sup>

7. Civil Service Progress Report, February 1963, reports large scale union recruiting activity, fragmentary membership gains, and the appearance of few new employee organizations. Current total union membership in the Federal Service is estimated at 33%, similar to before the Executive Order.<sup>8</sup>

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<sup>5</sup>Washington Post, January 26, 1963, p. C1.

<sup>6</sup>Weekly Federal Employees News Digest, Vol. 12, No. 23, January 21, 1963.

<sup>7</sup>U. S. Department of Labor docket files and reported advisory decisions, February 15, 1963 to March 31, 1964.

<sup>8</sup>U. S. Civil Service Commission, Progress in Employee-Management Cooperation in the Federal Service (Washington: Civil Service Commission, February 1963), p. 2.

B. The observations made varied widely in nature and complexity. In the interests of maintaining a planned systematic record of observations, which would be more readily subject to validity and reliability checks, a chronological log was kept. In reviewing this log the data roughly falls into three classifications: speeches/conferences; arbitrations/elections; and observed union/management correspondence.

In the first classification, speeches/conferences, it was observed that "neutral" government representatives in general supported the Order and felt it was achieving its objectives. Senator Olin D. Johnson has urged all federal employees to join unions of their choice and take an active part in employee-management relations. Representative Daniels (New Jersey) considers the Executive Order not specific enough to assist in union stability and the wording of the Order, concerning grievances, as weak.<sup>9</sup> Ida Klaus notes the similarity of the Order to New York City's employee-management order that has made great progress; however, Miss Klaus states that New York City needed and now has a "little NLRB" to interpret their order and to assist in determining appropriate units for recognition.<sup>10</sup>

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<sup>9</sup>Senator Johnson and Representative Daniels as reported in Weekly Federal Employees News Digest, Vol. 12, No. 31, March 18, 1963.

<sup>10</sup>Society for Personnel Administration Annual Conference, Statler Hilton, Washington, D. C., May 23-24, 1963. Minutes of the Conference on file at SPA Headquarters, Washington, D. C. Miss Klaus, Counsel to NYC Department of Labor, was a special assistant to Secretary of Labor Goldberg during the Task Force work on the Executive Order.

To obtain management's viewpoint eleven conferences/briefings concerning the Executive Order were attended in 1963. From these conferences several impressions were gained. With one exception, all observed administrative officials were taking positive steps to implement the Order. These officials appeared sincere in their desire to bring about improved employee-management relations. At first, management was apprehensive but their anticipated fears have not materialized. Most officials desire to extend the range of items handled actively at the local level vice national level (training procedures, working conditions, grievances, etc.). Most professional employee relations officials are optimistic concerning the resolving of conflicts of interest and appropriate unit questions, now that precedents have been established and an educational program is underway. On 25 January 1964, CSC Chairman John W. Macey, reported that although some problems exist there is, in his opinion, no need for changes in the Order at this time. Specifically, Macey favors continuing the 60% voting rule, prohibition of run-off elections, and is opposed to establishing an independent agency to administer the program.<sup>11</sup>

Industrial relations experts from the academic world are not as optimistic as management. Arthur Ginn's remarks are typical in that he feels the Order promises more than it can deliver and there is no

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<sup>11</sup>Government Employee Relations Report, op. cit., No. 21, February 3, 1964, p. C7.



satisfactory means for handling unresolved disputes.<sup>12</sup> Professor Kagel of the University of California is more critical and considers that the Order gives "virtually nothing" to Government employee unions.<sup>13</sup>

Union official's reactions vary from warm NMU support<sup>14</sup> to strong NFFE criticism.<sup>15</sup> The NMU considers that the Executive Order has opened up a challenging new area to the maritime unions. NMU appears to be one of the more successful maritime unions in organizing units in MSTs ships, Army dredges, and the Panama Canal workers. After obtaining recognition the NMU appears most active in airing complaints (working conditions, overtime, etc.,) and grievances. The AFL-CIO Metal Trades Department is less enthusiastic and considers that the Order has many shortcomings, while at the same time it represents a milestone in establishing the rights of government workers.<sup>16</sup> Principal deficiencies involve determining the appropriate unit (Navy's Bureau of Ships considered uncooperative in the past), election problems (no run off, 60% rule, etc.,) and arbitration problems. IAM feels that government officials

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<sup>12</sup>Government Employee Relations Report, op. cit., No. 13, December 9, 1963, pp. A3-A5. Quoting Professor Ginn of New York State School of Industrial Relations.

<sup>13</sup>Weekly Federal Employees News Digest, No. 16, November 18, 1963, p. 3.

<sup>14</sup>The NMU Pilot, October 31, 1963, p. 4.

<sup>15</sup>The Federal Employee Newsletter, Vol. 14, No. 10, June 5, 1963, p. 1.

<sup>16</sup>51st Convention of the AFL-CIO Metal Trades Department, Americana Hotel, New York, November 11, 1963. See page 14 of the Metal Trades Officer's Report. (In the files of the AFL-CIO Headquarters, Washington, D.C.)



are giving too much weight to "legal" details involving departmental regulations and thereby are losing sight of the Order's objectives of initiative and cooperation.<sup>17</sup> To solve this problem a neutral tribunal is felt to be needed to adjudicate disputes between agencies and their employee organizations. AFGE notes a gain in membership, a jurisdictional dispute with the Metal Trades and some improved cooperation with management. NFFE cautions of dangers involving collective bargaining in the Civil Service and urges Congressional action to remove "exclusive recognition."<sup>18</sup> After reviewing the texts of speeches, conferences and convention minutes of the principal employee organizations having extensive dealings with Defense agencies, I find that everyone reported some shortcomings and frustrations. With the exception of one, all employee organizations reported some progress since the Order. The average "large" union appeared pleased with the initial progress, observed some anti-union action by management (more problems with military officers than senior civil servants), and considered the vagueness of the Order and the lack of some type of "NLRB" monitoring were its greatest weaknesses. The "small" government unions appeared less content.

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<sup>17</sup>Government Employees Relations Report No. 12, December 2, 1963, pp. A1-A2.

<sup>18</sup>Vaux Owen, President NFFE, NFFE President's Letter No. 21, of August 16, 1962.

In the second classification, arbitrations/ elections, five Section 11 arbitrations were observed and extensive management and union correspondence, with interviews, was reviewed. A better rapport was established with management than with union representatives. Several general conclusions were drawn. The large union's counsels and witnesses presented the most professional cases and they had done extensive research to support their allegations. Management's witnesses, particularly military officers, appeared out of their element and had not been fully briefed on civilian personnel procedures. This at times puts management at a disadvantage before the arbitrator. Review of published advisory opinions indicate that few (about 6 out of 51 to date) fully support management's position. Too often management appears to take an adamant position that the "one mission," one facility-wide unit, is the only appropriate one. As many arbitrators have pointed out, if this idea is pushed to its logical conclusion the entire Defense Department would then be the appropriate unit, which of course is not the intent of the Executive Order. In addition, management often contends that NLRB rulings in a similar area have no bearing on their cases. While the Order and its implementing regulations do not directly use NLRB precedents, arbitrators are considering that NLRB rulings do have some bearing when comparative cases exist.<sup>19</sup> Industrial relations officials

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<sup>19</sup> See the Navy's Portsmouth Naval Shipyard advisory opinion of September 3, 1963, and the Boston Naval Shipyard advisory opinion of July 13, 1963, as examples of this. (In the files of the US Department of Labor.)

and commanding officers of facilities should have some familiarity with such NLRB bench marks as Globe Machine, American Can, National Tube, and American Potash in issues involving craft-industrial unit disputes.<sup>20</sup>

While some precedents and patterns seem to be established now, the Section 11 arbitration procedures are considered most laborious and expensive for all concerned. To date these procedures do not appear to be assisting in the promotion of a feeling of understanding and cooperation. Concerning elections, initially there were administrative problems involving balloting procedures (choice of position on ballot, challenged ballot, absentee ballots, etc.,) but the current Department of Labor guidelines appear to cover this problem.<sup>21</sup> The question of a run-off election (when inconclusive balloting occurs) and the so called "60 percent vote rule" are still causing strong complaints from all observed unions. NFFE points out that the "60 percent vote rule" can lead to a situation where a voting majority is actually a minority of the whole unit and the passive majority is thereby committed to the agreements of the minority.<sup>22</sup>

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<sup>20</sup>Concerning unit determination primarily involving white collar employees see NLRB's Dura Steel (1954) and Westinghouse Air Brake (1958).

<sup>21</sup>U. S. Department of Labor Memorandum from Mr. H. T. Harrick of September 13, 1963, with enclosures to all agencies concerned.

<sup>22</sup>National Federation of Federal Employees President's Letter No. 21 of August 16, 1962, pp. 16-18.



In the third classification, observed union/management correspondence, the following items were noted: (a) Section 11 advisory arbitration opinions are having an effect on management's guidelines concerning an appropriate unit,<sup>23</sup> (b) NFFE appears to be the only large employee organization openly critical of the Executive Order, (c) AFGE appears to be the union making the greatest gains in new memberships (this in turn has led to jurisdictional disputes between AFGE and the AFL-CIO Metal Trades Department), (d) some interest has been shown in the merging of certain classified unions--all unsuccessful to date,<sup>24</sup> (e) other employee management relations issues (not directly related to the Executive Order) have had an effect and possibly have contaminated the observed results. Illustrations of this would be automation in the government, allegations concerning racial discrimination, legislation concerning retired military personnel entering the Federal Civil Service, and the new instructions concerning dues check-off.

In summary, these observations indicate management is hopeful of positive gains from this Order but is cautious in its dealings with unions. In addition, management's handling of arbitration cases appears less professional than the unions when a dispute involves a "large" union.

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<sup>23</sup>Government Employees Relations Report, No. 2, September 23, 1963. Charleston Naval Shipyard policy letter concerning the recognition of units less than Yard-wide in scope.

<sup>24</sup>Weekly Federal Employees' News Digest, Vol. 11, No. 26, February 12, 1962, p. 3.



"Neutral" writers in this area are, at best, sceptical of the long run usefulness of the Order. Most large unions have more praise than criticism of the Order; the smaller unions are less enthusiastic. Principal areas of criticism involve the determining of the appropriate unit, election procedures (no run off, 60% rule), and the need for an "NLRB" type of neutral adjudication and interpretation of the Executive Order.

C. The interview data collecting method had several advantages. By using a standard interview procedure greater reliability was established, while at the same time there was flexibility and the opportunity to observe both the subject and the total situation. As indicated in Appendix B, 43 interviews were conducted, 11 with management officials, 25 with union officials, and 7 with "neutral" parties such as arbitrators and federal labor news columnists. After the interviews a check was made, concerning reliability and validity, by the use of a follow-up questionnaire, Appendix C.

Specific data concerning reliability and validity was calculated by the ranking method of correlation and indicated the following:

		<u>Reliability</u>	<u>Validity</u>
Management	(N=7)	.96	.76
Employee organizations	(N=5)	.87	.84
"Neutral" third parties	(N=6)	.92	.79

The aggregate of all reported union memberships was as follows:

	<u>Estimated by Management</u>	<u>Estimated by Unions</u>
Army	75,000	_____ *
Navy	100,000 (Revised) (11/63 ) (190,010)	_____ *
Air Force	25,000	_____ *
Marine Corps	3,500	_____ *
Total	193,500 (Revised) (273,500)	173,432

\*Few unions reported membership by separate DOD activities.

From the interview sample of 36 (11 management, 25 employee organizations) the following items were tabulated:

(a) Has the volume of civil service appeals changed since enactment of the Executive Order?

	<u>No opinion</u>	<u>No change</u>	<u>Increase</u>	<u>Decrease</u>
Management	1	4	4	2
Unions	<u>14</u>	<u>5</u>	<u>6</u>	—
Total	15	9	10	2

(b) Has the conflict of interest problem been significant to your organization?

	<u>No opinion</u>	<u>Yes</u>	<u>No</u>
Management	5	5	1
Unions	<u>15</u>	<u>7</u>	<u>2</u>
Total	20	12	3

(c) Has the total "union" membership changed since enactment of the Order?

	<u>Reported by Management</u>	<u>Reported by Union</u>
"Large" unions, have increased	9	8
"Large" unions, no change		1
"Large" unions, have decreased		
"Small" unions, have increased		2
"Small" unions, no change	4	5
"Small" unions, have decreased	4	1

\*"Large" unions considered those with 5,000 or more members in the federal service.

(d) Has the general quality of employee-management leadership changed since enactment of the Order?

	<u>Undecided</u>	<u>Improved</u>	<u>Decreased</u>
Management leadership	1	6	2
Union leadership	4	5	3
	—	—	—
Total	5	11	5

In addition 10 respondents indicated improvement existed only at the Washington level and not out in the "field." Specifically, 5 respondents reported a decrease in management leadership at the "field" level and 5 respondents reported a decrease in union leadership at the "field" level.

(e) How many exclusive recognized units have written contracts or contracts in the process of being written? Do these contracts provide for advisory arbitration concerning grievances?

	<u>Written Contracts</u>	<u>Contracts contain advisory arbitration</u>
Reported by management	66	29
Reported by "unions"	31	16

(f) Reported accomplishments, problems etc., since enactment of the Executive Order.

<u>Item description</u>	<u>Times mentioned</u>
Military officers uninformed or hostile to unions	13
Improved communication	13
Bargaining unit determination a major problem	10
Need exists for a "NLRB" type review board	6
Handling of grievance procedures has improved	5
Improved wage board participation	5
Problem of election procedures	4
Executive Order has little effect	4
Do not need the Executive Order	3
Too early to evaluate	3
Management too legalistic	3
EO has little meaning to white collar workers	3
Employee services (food, parking, etc.,) have improved	3
Unfair to craft unions	2



<u>Item description</u>	<u>Times mentioned</u>
EO is a step in the right direction	2
Too few issues to negotiate	2
Greater worker participation now exists	2
Increased quality of training	2
We rely too much on NLRB type rulings	2
Need greater union participation in promotion rules	2
Union services to members (health, life insurance) have improved	2
Miscellaneous group	<u>5</u>
Total	96

D. Questionnaires, as mentioned earlier,<sup>25</sup> were sent to a sample population of 110 management and employee organization representatives. Specifically, a listing of the sample by DOD activity and type of employee organization is as follows:

<u>By DOD activity with corresponding "union" units-</u>	<u>No. of units sampled</u>	<u>Estimated "union" population</u>	<u>% of Response</u>	
			<u>Met</u>	<u>Union</u>
Army	25	9,847	92	100
Air Force	25	5,415	96	84
Navy	50	26,917	98	96
Marine	6	2,386	100	50
DOD	<u>4</u>	<u>2,214</u>	<u>75</u>	<u>50</u>
Totals	110	46,769	95	90

By Employee organization category

Craft (Metal Trades, IAM, etc.)	31	17,785		87
Primarily command-wide (AFGE, NFFE, etc.)	<u>79</u>	<u>28,984</u>	—	<u>91</u>
Total	110	46,769		90

<sup>25</sup>Supra, pp. 65-67.

Initially the percentage of non-respondents was larger but through the use of follow-up letters and postcards, Appendix F, the present high levels of response were reached. On a random basis 5 non-respondents were checked by telephone or personal interviews and their response did not significantly differ from the recorded response. The non-respondents appeared to be indifferent to the Executive Order or lukewarm about it and unconcerned about my interest. Therefore it is considered to be a valid conclusion to say that the non-respondents (if recorded) would not significantly change the tabulated results. The sub-samples of Marine and DOD "unions" are considered too small to draw any conclusions regarding their low response.

The responding 105 management units and 99 employee organization units were tabulated by service, type of recognition (exclusive, formal, etc.), craft or primarily command-wide, and by size (large, medium and small). In addition, my interview information posed the possibility that activities nearer to Washington, D. C., are perceiving and responding differently to the Order. Therefore, the response was also recorded by those activities near Washington--two hours flying time for conference purposes--and those activities outside the Washington area. This will permit the testing of the null hypothesis--that is, it can be shown that the obtained differences between the two sub-samples were or were not unlikely to appear if the two populations were in fact the same.

The complete listing of questionnaire tallies by categories is indicated in Appendix H. Those specific responses which are significant

to the .05 level of confidence or those responses whose means indicate a possible trend or change are as follows:

(a) Mean "union" growth as reported by management was 1.2 (scale: -1 decline, 0 no change, 1 slight change, 2 significant change, 3 great change). Mean "union" growth as reported by unions was 1.35 with a standard deviation of .79. However, "small" unions had only a growth of .6 reported by management and .17 reported by unions. This is significant to the .10 level that their relative growth is indeed smaller than that of the larger unions. "Informal" unions had a growth of .14 reported by management and .18 reported by unions, again significant to the .10 level that their relative growth is small--if any. Large unions (over 1,000 members in the local) had a growth of 1.7 reported by management and about 2.6 reported by unions (many reported great significant change). This is almost significant to the .10 level of confidence that the large unions are experiencing significant membership increases. There was no relative change in growth by type of union (craft-industrial, etc.), that was statistically significant.

(b) Possible changes in the volume of Civil Service appeals since the Order indicated a "Likert" mean of 3.8 reported by management and 3.8 reported by unions (scale: great increase =1, increase =2, slight increase =3, no change =4, slight decline =5, decrease =6, great decrease =7). No significant trends or changes are apparent but the union tallies indicate, in a 3  $\sigma$  control test, that the results in "craft" unions and "large" unions are beyond control limits with a



probable significant increase in appeals within activities having these types of units. On the other hand, management tallies did not indicate any subgroups that were beyond the 3  $\sigma$  control limits.

(c) Possible changes in the amount of participation in Wage Board surveys indicated a "Likert" mean of 3.5 as reported by unions and 3.8 as reported by management. The only subgroups out of control were "medium" sized unions (150 to 999 members), with a mean of 3.2 in which four union locals indicated "great increase" in the level of participation.

(d) Possible changes in the amount of cooperation as perceived by unions and management were 2.5 and 3.3 respectively. This is a significant difference in how each perceives the cooperation received from the other. The only subgroups beyond control are unions that have an "informal" status and their reported mean is 4.0.

(e) Possible changes in the quality of union leadership had a reported mean of 3.7 with "informal" unions and "small" unions being the only subgroups out of control. The "informal" union and the "small" unions had means of 4.2 and 4.4 respectively.

(f) Possible changes in management's demonstrations of "good faith" had a mean of 2.7, with the Navy having the highest score at 2.3. However the  $\sigma$  was .975 and therefore the Navy results are not statistically significant. The Air Force scored lowest with 3.6 which is statistically significant to the .10 level of confidence. The only subgroups possibly beyond control were the "large" unions with exclusive recognition. In this case, the mean was 1.6 which is significant



at the .06 level.

(g) Seven management activities (6%) reported a conflict of interest problem concerning employee memberships. 23 union activities (23%) reported conflict of interest problems. Since these wide differences in responses came from the same sample it is highly probable that management and unions do not perceive the conflict of interest from the same perspective. Subgroups reporting higher than "average levels" of conflict of interest problems were units with exclusive recognition (27%), craft unions (37%), Army activities (44%), large unions (60%), and 42% of responding informal units (population 12).

(h) In the course of determining the type of employee organization participation (wages, job classification, grievance procedures, etc., ) the following tabulated results were tallied:

Types of Participation

	<u>Wages</u>	<u>Job Clas.</u>	<u>Hours &amp; Shifts</u>	<u>Working Conditions</u>	<u>Grievance Procedures</u>	<u>Pro-motions</u>	<u>Trng</u>	<u>Empl. Svcs.</u>
% of units participation as reported by unions	29	66	79	93	94	76	53	81
as reported by management	38	49	83	87	81	88	74	81
Difference	-9	+17	-4	+6	+13	-12	-21	0
% of participating units that report an <u>increase</u> in participation as reported by unions	35	50	61	70	68	82	46	68
as reported by management	12	20	68	62	56	53	30	56
Difference	+23	+30	-7	+8	+12	+29	+16	+12

From the previously listed percentages of participation, the following subgroups are statistically different at the .05 level of confidence as indicated:

<u>Sub-</u> <u>groups</u>	<u>Job</u> <u>Wages</u>	<u>Hours</u> <u>Clas.</u>	<u>Working</u> <u>&amp; Shifts</u>	<u>Conditions</u>	<u>Grievance</u> <u>Procedures</u>	<u>Pro-</u> <u>motions</u>	<u>Empl.</u> <u>Trng</u>	<u>Sves.</u>
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As Reported By Unions

Air Force	-							
Navy		+	+	+				
Exclusive		+	+	+	+			+
Informal			-	-				-
Craft	+	+	+	+	+			+
Large	+	+	+	+	+			+
Small			-	-	-			

As Reported By Management

Army	-							
Navy								+
Exclusive			+			+		
Informal		+					+	+
Craft		+	+	+				+
Large		+	+			+		+

Note: Only subgroups with specific types of participation that were statistically significant are indicated above. The plus (+) indicates significantly above limits and the minus (-) indicates below limits.

(i) 73 "unions," 74% of those responding, indicated their desire to use or not to use the "checkoff" procedures. 83% of the "unions"

replying plan to use or are using the "checkoff" procedure. The principal benefit expected from the "checkoff" will be the stabilizing effect upon membership.

(j) 96 "unions," almost 100% of those answering the questionnaire, indicated that they now have meetings with management. Only 36% indicated they had regular meetings with management but most of the others indicated that meetings were scheduled as required. Of the "unions" having exclusive recognition only 41% indicated they had regular meetings with management.

(k) Reported principal accomplishments since enactment of the Executive Order:

<u>Item description</u>	<u>Times mentioned</u>
Tallies from "Union" Questionnaires	
Improved communications	41
Cooperation and consideration	25
Membership gains	19
No positive accomplishments	14
Stable union membership	6
Cooperation from the Commanding Officer	3
Improved grievance procedures	3
Management tallies	
No positive accomplishments	36
Improved cooperation	22
Improved communications	19

<u>Item description</u>	<u>Times mentioned</u>
Management tallies	
Improved morale	4
Better training	3
Better understanding	2
Improved grievance procedures	2
(1) Reported principal problems since enactment of the Executive Order:	
Tallies from "Union" Questionnaires	
Conflict of interest concerning membership	16
Hostile supervisors (civilians)	12
Management too formal and legalistic	11
Limited bargaining areas or issues	7
"Bargaining" unit questions	6
Employees have too little knowledge concerning the Executive Order	6
No problems	5
NFFE position on exclusive recognition	4
Women employees have little interest in the Order	3
Hostile military officers	3
Delaying tactics by management concerning contract agreements	2
Alleged favoritism given NFFE over other "unions"	2
Need of a little NLRB type board	2



<u>Item description</u>	<u>Times mentioned</u>
Management tallies	
Need for additional training of new "union" leaders	9
Extra work load on management	9
"Bargaining" unit questions	6
No problems	4
Minor gripes becoming big issues	2
Conflict of interest	2
Increased number of grievances	2
Election problems	2
Loss of employee councils	2

(m) Concerning the possibility that activities nearer Washington might be responding differently to the Order from those activities outside of the Washington area, the null hypothesis (that the two populations were the same) was tested with the following results:

(1) Broadly speaking, there is little difference between the two subpopulations even though the interview data had strongly hinted at such a possibility.

(2) Management indicated that there was a greater level of participation (significant to the .05 level) concerning grievances, promotions, training and employee services in the Washington area.

(3) "Union" results conflicted with the above and it was considered that the only area that had a greater level of participation involved the use of Wage Board surveys. In addition, "unions" indicated

a significantly lower level of participation in grievance procedures in the Washington area. A possible explanation of this decrease in participation in grievance procedures was indicated during open-end interviews, when several Washington area "union" leaders reported that they used the nearby National Union Office to handle their serious grievances vice working at the local level.

E. Quantitative (content) analysis of the Federal Labor relations columns of the Evening Star and The Washington Post indicated the following:

Cumulative column inch values of labor relations themes.

Sept-Oct 1961	Strongly support <u>1</u>	Support <u>2</u>	Uncertain <u>3</u>	Critical <u>4</u>	Strongly Critical <u>5</u>
Evening Star	0	15	96	284	32
Washington Post	2	6	59	182	130
Totals 1961	2	21	155	424	162

Grand Total 1961 column inches 764

Sept-Oct 1962

Evening Star	15	9	426	85	71
Washington Post	0	68	363	106	4
Totals 1962	15	77	789	131	75

Grand Total 1962 column inches 1147

Sept-Oct 1963

Evening Star	0	17	53	36	20
Washington Post	0	6	21	23	0
Totals 1963	0	23	74	59	20

Grand Total 1963 column inches 176

F. In using critical incidents as a measuring device for a behavior science subject, a primary problem involves defining what criteria will constitute a critical incident for the specific study. At best, the determining of the criteria must be done somewhat subjectively. Initially I was in doubt about what the best criteria might be. Therefore I recorded all incidents that individually might effect the final outcome of the Order. This included such items as "bad faith" by both sides, alleged improper elections, and unusual conflict of interest problems. In reviewing the log of these recorded items I find that most of them are definitely not critical and usually these items had already been reported in this chapter under the observation or interview sections.

While none of these logged "incidents" appear to be critical, the principal ones--involving personnel management in a delicate situation--are as follows:

(a) Supporting the Order.

(1) The dues check-off regulations. Interview data and the material from news columnists indicated this may be a major item that will further increase "union" membership and "union" stability. To demonstrate the possible changes that are taking place since January 1964, when the check-off procedures went into effect, we now have the AFL-CIO Metal Trades waivering initiation fees. The usual initiation fee ranges up to \$25.00 among government workers.<sup>26</sup>

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<sup>26</sup> Weekly Federal Employees' News Digest, Vol. 13, No. 23, January 13, 1964, p. 7.

(2) Admiral Gano's personal supervision of the United Seaman's Service. This organization is a recreational, health and welfare service for merchant seamen throughout the world. Admiral Gano as Commander of MSTIS has volunteered assistance which has helped this seaman's service become more effective. As a result, the maritime union leaders now have more respect for management.

(b) Critical of the Order.

(1) Alleged improper election procedures. Examples are U. S. Dredge Gerig, Boston Naval Shipyard, or the IAM election at NAS Pensacola.

(2) Alleged demonstrations of "bad faith" by management (management has allegedly interfered in union recruiting efforts--four incidents reported to this observer by union officials). Personnel malpractices such as reported by the House Civil Service Manpower Subcommittee.<sup>27</sup>

(3) Civil Service Commission rulings concerning key employees not being permitted to run for national union office. This has affected candidates who wished to run for national office in both AFGE and NFFE.

(c) Incidents not directly related to the Order but having a "spillover" effect.

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<sup>27</sup>Weekly Federal Employees' News Digest, Vol. 13, No. 24, January 27, 1964, p. 2.



(1) Problems of alleged racial bias in southern employee organizations, lodges or locals.<sup>28</sup>

(2) The effect of automation on Federal jobs.<sup>29</sup>

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<sup>28</sup>The Evening Star, June 4, 1962, p. A2; The Evening Star, June 10, 1963, p. A2; The Evening Star, June 14, 1963, p. A2.

<sup>29</sup>The Washington Post, June 11, 1963, p. B1; Wall Street Journal, July 26, 1963, p. 4.

## CHAPTER VII

### Analysis.

To a considerable extent the analysis of this study was shaped before the data was collected. The anticipation of the future task somewhat determines what transpires before, since no systematic inquiry should be planned without anticipating what will be done when the data comes in. In the previous chapter, categories were established and the coded data was tabulated and readied for the drawing of inferences, if any, about causal reactions.

As indicated earlier<sup>1</sup> the Osgood type of bipolar rating scale is being used as a scaling technique to assist in analyzing the results (Appendix I). However, any semantic differential scaling situation, such as used in Appendix I, poses a problem concerning the establishment of the meanings of the scales and their relation one to another. Depending on the concepts, such scales will vary considerably. What is strong, for example, depends on the concept being judged. The implication of this is that it can be quite difficult to develop scales which provide for consistent measurement of underlying values. However, in this case, the scales are considered ordinal, not interval, and the author has developed a series of bench marks by which ordinal sizes are compared and classified (see Appendix I for description of values). By this method the position of relative values are properly maintained, and the periodic random cross checking on ordinal values by my assistant will ensure

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<sup>1</sup>Supra, p. 61.

in units having exclusive recognition<sup>3</sup> does not appear to support claims of union growth (with the exception of the Navy membership). These figures are incomplete, they do not include formal and informal organizations in the field and when taken by themselves are misleading. The memberships estimated by management and the unions (193,500 and 173,432 respectively), which correlate with the Washington Post and GERR estimates, are considered to be reasonably accurate for the date they were reported. Note also that the number of different employee organizations reported by GERR<sup>4</sup> did not increase in the Air Force but they about doubled in the Army and the Navy. It is logical to conclude that this growth rate is a result of the Executive Order. Similar membership changes occurred in the Canadian Civil Service following their establishment of the National Joint Council in 1944, with recognition and status to staff organizations (government unions).<sup>5</sup> Although it involved a different population and situation, a similar membership growth of 29% occurred by 1936 following the Wagner Act.

The statistics concerning turnover rates are not considered significant. While these figures indicate the average monthly turnover rate varied from 3.0 in 1961 to 1.6 in 1962, the long term turnover

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<sup>3</sup>Supra, p. 72.

<sup>4</sup>Supra, p. 72.

<sup>5</sup>Saul J. Frankel, Staff Relations in the Civil Service (Montreal: McGill University Press, 1962), p. 133, and an interview with the Canadian Labour Attaché, July 2, 1963, Washington, D. C.

greater consistency and uniformity--most important ingredients to help ensure the detection of meaningful results. As reported in the results section, Chapter VI, causal relations and generalizations of the material will be handled by categories. Cross-tabulations and comparisons between different categories of results will be used to further test for consistency, validity and levels of significances.

A. First, concerning the statistical results, it must be realized that, to date, little has been published of a quantified nature about the impact of the Executive Order. Most reports, such as the Civil Service Report of 1963,<sup>2</sup> give their results, predominately, in adjective form without numerical qualification (for example, the number of units gaining recognition since Executive Order 10988 "is impressive"). However, the CSC Report does tabulate the number of units having exclusive recognition and considers the number impressive--for DOD agencies it was 38 units in February 1963. In December of 1963, the Bureau of National Affairs, through GERR, reported 187 exclusively recognized units in DOD agencies. This gain of almost 500% in 10 months qualifies as most impressive if the first growth to 38 units in 6 months was considered impressive. In addition, this rapid growth in union activity correlates positively with the other data reported in Chapter VI. The actual figures available on current union membership

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<sup>2</sup>U. S. Civil Service Commission Report to the President, February 1963, op. cit., pp. 9-11.



fluctuation is great.<sup>6</sup> In "poor" years some Civil Service clerical categories have annual turnover rates in excess of 60%.<sup>7</sup> Normal industrial monthly turnover rates approach 4.0%.<sup>8</sup> This correlates with the information gained by interview, where most management officials felt there was no significant change in turnover rates since enactment of the Executive Order.

However the reported change in the number of employee-management related bills introduced to Congress (30 in 1961, 16 in 1962), is significant to the .01 level if tested against the null hypothesis that  $p$  (the probability of occurrence)  $\geq \frac{1}{2}$  and the 30 "bills" are considered a normal yearly rate prior to the Order. This also appears logical and is supported by the data gained by the content analysis study.<sup>9</sup>

B. In analyzing the data obtained by observation, I find little of this information lends itself to a quantification such as statistical analysis. However this purposeful unstructured gathering of observation data has stimulated insights concerning the study (Section 11 arbitrations, election problems, general praise of the Order from

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<sup>6</sup>Commission on Organization of the Executive Branch of the Government, A Report to Congress, Personnel and Civil Service, (Washington: U.S. Government Printing, February 1955), p. 18.

<sup>7</sup>"Study of Typists and Stenographers - FY61" (an unpublished study by the Department of Civilian Personnel, Navy Department, Washington, D.C., 1962).

<sup>8</sup>Monthly Labor Review, Vol. 84, No. 6, June 1961, p. 61; and Vol. 84, No. 12, December 1961, p. 1404.

<sup>9</sup>Infra, p. 111.

management but union criticism in certain areas, etc.), assisted in giving pragmatic validity to the questionnaires which were constructed, and assisted the observer, myself, in establishing good rapport with management and employee organizations. Out of these reported observations,<sup>10</sup> the recorded data supports the statistical, interview and questionnaire data. In view of the excellent validity (.70+) reported in the interview section<sup>11</sup> it appears likely that this information may have a similar validity range. Validity in the behavioral sciences is always open to question<sup>12</sup> and the criteria itself may be invalid. But all methods of obtaining data in this research support each other and add credibility to the reported reliability and validity of the measured results.

The observations indicated that management is generally hopeful but cautious. The unions offered more praise than criticism and definitely felt that the Executive Order was a step in the right direction. Principal problems involved the determining of the "appropriate unit," election procedures, and the occasional unpolished management official who is acting as a non-professional in the industrial relations area. In the field, some union leaders indicated they had a weak orientation concerning the Order and they appeared to be impatient and quick tempered.

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<sup>10</sup>Supra, p. 74.

<sup>11</sup>Supra, p. 81.

<sup>12</sup>Mac McCord, "Observations in Validity Criteria: A Problem of Psychological Evaluation," Personnel Journal, June 1963, Vol. 42, No. 6, pp. 286-288.

The small sample (5) of Section 11 arbitrations observed indicated a possible need for more "homework" by military officers who are concerned with the implementation of this Order. One union, IAM, appeared to be particularly precise and thorough in presenting their position in arbitration cases.

With one exception, the recorded observation data supported the item description<sup>13</sup> information about accomplishments and problems associated with the Order. The exception being that no observations were made that confirmed union hostility by military officers. Allegations were heard in this area but this observer was not able to substantiate these claims. The observations did indicate that some military officers were uninformed concerning the Order and had little appreciation of the complexities of industrial relations.

C. Like the observation data, the interview data stimulated insights concerning the research problem. Through this measuring device this observer was able to "sit" with the problem and draw approximate limits of investigation. By use of a semi-structured interview with follow-up questionnaire (that had a constructed validity (.87+) and high validity (.76+) appeared to be established. However considering the small sample that fully responded to all "check" questions (questions with

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<sup>13</sup>Supra, p. 77.



constructed validity) --7 management--5 union--and 6 "neutral"--these validity and reliability figures must be handled with caution. Of course one must avoid giving numerical calculations a reality or dependability that they may not warrant. While all other sources of data supported the supposition that the results were reliable and valid, the inconclusive results concerning the possible bias of some respondents<sup>14</sup> lead me to suspect that my reported reliability (.87+) and validity (.76+)--in the long run--would not be this high. However at the same time that the interviews were being conducted, with follow-up questionnaires, the field questionnaires (Appendix F) were being pretested. The final draft of the field questionnaire was given only a limited pretest, but the earlier drafts indicated high reliability (.80+) and validity (.70+).

Concerning specific data obtained by interview the following generalizations can be made:

(a) Unions and management both report substantial gains in union memberships (160,539 members before the Order, 273,510 estimated December 1963). This was supported earlier in the statistical section.

(b) No significant change in the volume of Civil Service appeals.

(c) While 57% of the respondents did not consider the conflict of interest problem (concerning supervisory personnel) to be of significant importance to warrant a reply, 34% (divided about equally

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<sup>14</sup>Supra, p. 66.



between management and unions) considered it a significant problem in their organization.

(d) Small unions (under 5,000 total national membership) did not appear to be gaining in members and some appear to be losing members.

(e) While there appeared to be a definite improvement in the quality of leadership both by management and unions, possibly the major improvements were at the Washington level and not at the field level.

(f) The principal accomplishments of the Order were improved communications, better cooperation, higher morale, and improved handling of grievances. Principal problem areas concern the determining of the "bargaining unit," the need for an "NLRB" type of board, and the allegation that military officers are uninformed or have a hostile attitude.

D. The questionnaire data explored the leads that the observation and interview data had developed. The constructed reliability and validity appeared to be in the range of .87+ and .76+. While, intuitively, we may suspect this validity figure as being a bit high, in comparison with normal research results in social relations, it nevertheless appears that our questionnaire has positive validity of a reasonable degree.

The stratified random sample averaged a response of 95% from management and 90% from "unions." The respondents represented an estimated "union" population of 46,769 or 17.2% of the estimated DOD union membership in December 1963.<sup>15</sup> With the exception of the low

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<sup>15</sup>Supra, p. 85.

response from the DOD activities and the Marine unions, the percentage of replies is considered excellent (% of response from the primary sub-groups varied from 84% to 100%). Since the 10 DOD and Marine activities were not part of our basic 100 random activities sample, their inconclusive results are not considered detrimental to the primary report. The non-respondents were additionally sampled(interviews and telephone calls) and appeared, substantially, to have the same opinions and impressions as the respondents--with the exception of a few lukewarm or indifferent attitudes towards either the Order or my survey. Therefore it is considered valid to discount the non-respondents and to conclude that their potential inputs would not have materially affected our recorded results.

The hypothesis that activities near Washington perceive the Order differently from those in outlying areas was not confirmed statistically. Management's responses indicate that there may be some small differences involving grievances, promotions, training and employee services. The union results do not uphold this and the interview results (greater cooperation from union leaders in the Washington area) are not statistically confirmed by the questionnaire data.

Analysis of the questionnaires falls into the following specific categories:

(a) Large "unions" (over 1,000 members at a field activity) are gaining the most members percentage wise. Small "unions" (150 or less members at a field activity) and "unions" with "informal" recognition have the least, if any, membership gains. There is no significant

statistically relative membership gains between "craft" and "industrial" or "command wide" types of "unions." This correlates closely with the interview results.

(b) There is no significant change in the overall volume of Civil Service appeals since the Executive Order. This correlates with the statistical results and the interview results. However activities having "craft" unions and "large" unions of both the "industrial" and "craft" type, appear to have some increase in the level of appeals.

(c) There is no great change in the participation of Wage Board Surveys since the Order, but there appears to be some increase in participation with "medium" sized "unions" (150 to 999 members at the field activity. At first glance it might appear unusual that "medium" unions indicated a greater change than large unions; however, most of the large unions responding to the questionnaire are in the Navy, and the Navy has had extensive participation in this area prior to the Executive Order so I would expect little change for the large unions.

(d) Cooperation has definitely improved since the Executive Order. On the "Likert" scale management gives it an average rating of "slight increase" and the "unions" rate it at a higher level of "increased." Activities having "unions" of an "informal" status report no change in the level of cooperation. Consistent with the above, the quality of union leadership was reported as slightly increased, with the exception of "no change" with those units having "informal" status and a possible very slight decrease in leadership



from "small" unions. In the same area, the unions indicated that management had significantly increased in its demonstrations of "good faith" since the Executive Order. The Navy scored highest in ratings of "good faith" but it was not statistically significant from the other services. Activities having large unions or exclusive recognition had the best scores in "good faith" and this sounds reasonable, is supported by the interview data, and is, I feel, to be expected.

(e) Only 6% of responding management activities felt they had a conflict of interest problem, however 23% of the responding unions considered this a major problem. In the unstructured portion of the questionnaire, management again rated the conflict of interest problem low but it ranked first with the unions of all reported problems concerning the Executive Order. This wide difference of opinion was unexpected. Earlier, the interview results at the national level had indicated a majority of both management and "union" officials responding to this question as though it was a significant problem. This would indicate that there is a weakness in communications at the field level and management does not understand the "union's" conception of the problem

(f) In reviewing the patterns reported of "union" participation, certain generalities can be made with a high degree of statistical probability concerning their validity.

With the exception of 5 respondents out of 204, all areas of participation either remained the same after the Executive Order or



there was an increase. The areas scoring the highest in the increased level of participation were employee services, grievance procedures, working conditions and hours and shifts. This was followed closely by job classification and then training. There was little increase in wage board participation. However the areas of increased participation did not exist in all subgroups of our sample population. The Army and the Air Force were significantly lower in job classification participation. The Navy was significantly higher in participation concerning hours and shifts, working conditions and grievance procedures.

The profile of the type of "union" that gained the most participation was a large (1000 or more local members) craft (Metal Trades or Maritime Union) unit with exclusive recognition. The indication that large exclusively recognized units have the greatest participation correlates with the interview data and follows closely the pattern of the Canadian Civil Service unions after their recognition in 1944. This is the first significant indication which I have had that differentiates between the "craft" and "industrial" unions.

(g) Regarding the "unions" possible use of dues check-off procedures, little information was obtained that was not expected. 83% of responding "unions" plan to use the check-off with the anticipated major benefit of stabilizing union membership. The interview information indicated that stabilization of membership has been a real problem. For example, one union indicated that for each 1000 new members gained, 600 were lost out the "back door" by failing to keep up their dues.

(h) Regarding meeting with management, almost all unions now have them but prior to the Executive Order, 53% did not feel they had anything that could be considered a meeting. To date only 41% of the exclusively recognized units have regular meetings with management but the other 59% indicated they had meetings whenever necessary. This ties in closely with one of the principal accomplishment areas of the Order--improved communications, cooperation, consideration, and better understanding of each other's viewpoint.

(i) In the unstructured portion of the questionnaire, (concerning the principal accomplishments and problems resulting from the Order) the accomplishments correlated with the observation and interview data and followed an expected pattern. The principal accomplishments were improved communications, cooperation, consideration, etc., along with gains in membership, better training and improved morale. However, both management and "unions" ranked the response of "no positive accomplishments" quite high (19 responses). The principal problems reported by "unions" were conflict of interest, hostile civilian supervisors, management too legalistic or formal, the "bargaining unit," limited knowledge of Executive Order and limited bargaining areas. The principal problems reported by management were need for additional training of new union leaders, the extra work load, and the "bargaining unit" question. At the national level the interview and questionnaire results indicated that major problems might concern hostile military officers, the need for an NLRB type of review board and better election procedures. The questionnaires from the field did not support these premises. In fact, no field responses indicated any problem with elections and only two responses indicated a need for an NLRB type of review. The possible problem of hostile military officers was ranked very low by field units but unfortunately, it appears that there is a

problem of hostile civilian supervisors.

E. The quantitative (content) analysis data was determined to have the following means and standard deviations (using a numerical scale of 1 to 5 for strongly support, support, uncertain, critical, strongly critical):

	<u>Mean</u>	<u><math>\sigma</math></u>
1961	3.95	0.256
1962	3.11	0.217
1963	3.46	0.539

Comparing these observed data between years the following standard measures ( $U$ ) and probabilities (that change was due to chance alone) were compared:

Years compared	$U$	$P'_N(U)$
1961-1962	1.78	0.0375
1962-1963	0.475	0.317
1961-1963	0.616	0.275

In addition, if 1961 can be considered a "normal" year for comparison purposes the volume changes (1961-764, 1962-1147, and 1963-176) are significant to the .01 level.

By itself the above data does not mean too much. However the data between the years 1961 and 1963 indicates with a probability of 0.725 that the change in theme strengths was not due to chance alone and the change in the volume level is significant to the .01 level. This supports our other data (interview, questionnaire, etc.) and indicates that



probably there has been a change since the Executive Order in support of improved labor relations. Content analysis cannot establish if the positive change was due to the Order or some other factor, but, considering the positive correlation of this data with other information, it can be inferred that there is a causal relationship supporting a positive change in labor relations in the Federal Service since the Executive Order.

F. The main value of the critical incidents approach is that this method of assessing criteria may uncover items which might be left out or overlooked. Since the success or failure of this evaluation of the Executive Order could be shaped in part by an incident or a series of delicate situations, this evaluation method cannot be overlooked without potentially jeopardizing the project.

As indicated in the results chapter <sup>16</sup> none of the observed "incidents" now appear so critical. Of the items supporting the Order the dues check-off provisions seem to be the most significant and should further aid the "unions" that have already made gains since the Executive Order--the "large unions" with exclusive recognition. Of those incidents reproving the Order, the conflict of interest situation looks like it is the most troublesome. This correlates with the interview and questionnaire, both of which indicated that conflict of interest is a problem of considerable magnitude. Other observed incidents that found

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<sup>16</sup>Supra, pp. 95-97.



fault with the Order, were those involving "bad faith" and poor election procedures. These items did not correlate with the findings of the interview and questionnaire section and they are unlikely to be significant.

Therefore it appears that this measuring technique, critical incidents, has added little to this project except that it has lessened the likelihood that an important issue or point has been left out or overlooked. There has been some contribution--the conflict of interest problem has been further confirmed as significant and the potential problem of poor election procedures has not materialized.

## CHAPTER VIII

### Summary of Conclusions.

Both sides should recognize that they are not back in the 30's when the union was struggling for recognition and management was struggling not to give it. But... /both sides/ are talking in an atmosphere of distrust which their members simply do not recognize in their day-to-day relationships.

Secretary of Labor<sup>1</sup>  
Arthur J. Goldberg

I am in favor of making the United States Government a model employer.

John F. Kennedy<sup>2</sup>

The purpose of this paper was to determine if the Executive Order is meeting its stated objectives. With this information I hope to contribute to the betterment of employee relations, through education, by showing the Federal Manager the extent and the direction which Federal Employee-Management Cooperation is taking. These objectives were established as the following:

1. Orderly and constructive employee-management relations.
2. Greater employee participation in the formulation of policies and practices affecting their employment.

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<sup>1</sup> Arthur J. Goldberg, 22 September 1961, cited by Selwyn H. Torff "A Reappraisal of U. S. Collective Bargaining Process" Personnel Administration, January-February 1963, p. 9.

<sup>2</sup> John F. Kennedy, 1960, cited by Wilson R. Hart, Collective Bargaining in the Federal Civil Service, op. cit., p. 1.

3. A clear statement of the rights and objectives of unions and management.<sup>3</sup>

To determine if these objectives were being met a systematic investigation was made by a series of methods of observation and measurement. In the areas that could be pretested and quantified, good reliability (.87+) and validity (.76+) was established. In general one measuring method confirmed or supported the next, adding to the constructed validity of this research. However, as with most behavioral science research projects, some data conflicted and there is difficulty in the use of non-quantified data (open end question response or the observation of Section 11 arbitrations, for example). This means that before drawing any conclusions it might be best to deal with the uncertainties by exploring their limits. One way to deal with this problem is to establish the parameters of the conclusions by introducing the upper bound estimate (optimistic), the lower bound estimate (pessimistic), and then the middle ground or best estimate.

First, following this approach let us consider the possible optimistic conclusions. For this we will take a conservative "before" estimate of employee-management relations prior to the Executive Order and a conservative estimate of what we expected the Order to accomplish. This will give us the greatest probability that conditions have improved and our objectives have been met.

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<sup>3</sup>Supra, p. 37.

Under this set of rules prior to the Order employee-management cooperation was below par in a number of DOD activities. Union membership (with the exception of the Navy) was low, employee councils were not successful (from the worker's point of view), there was limited participation with wage board systems, and there were many problems--such as lack of communications and cooperation and too much time spent on trivial complaints.<sup>4</sup> Then under the optimistic approach of expecting only modest gains to meet the objectives of the Order, what did we attain? Membership is up (prior 160,000, current 193,000 to 270,000), quality of union and management leadership has improved, communications are better along with an improved method of airing complaints and grievances. Exclusive agreements are leading to clearer statements of rights and objectives for both unions and management. While some shortcomings and problems exist, many of these problems were present prior to the Order and (using the optimistic approach) it can be definitely stated that, in general, the Executive Order is meeting its objectives, is successful, and is ushering in a new era in employee-management cooperation.

Second, let us consider the lower limit of possible conclusions -- the pessimistic approach. Under this approach conditions in DOD activities were good prior to the Executive Order. "Union" membership was fair (29% in the Navy), employee councils were a success and there

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<sup>4</sup>Supra, pp. 32-33.



was good communication and cooperation between management and the employees-- except for a few "mess hall radicals." Then what were the accomplishments after the Executive Order? Membership gains may have been only modest (small unions lost in memberships), the number of different employee organizations that a command must deal with has increased excessively, appeals have increased, and the quality of leadership in the field may have deteriorated. Only limited "bargaining" areas exist and "unions" and management cannot agree on what the Order was intended to mean or accomplish. Sizable groups of management and "union" officials appear to be frustrated and disillusioned. Unresolved areas involve such items as the conflict of interest problem, hostile civilian supervisors, "bargaining unit" questions, the alleged legalistic attitude of management, and election problems. To date, the great gains that were expected from this Order have not materialized. Further, the pessimistic approach considers the Order as something we may not have needed and it may not be meeting its stated objectives.

In between these two approaches we have the moderate or best estimate of the impact of the Order. Appendix I, the bipolar graphic chart, is an approximate pictorial summary of this estimate. If the distance between the plotted ordinal points is of intervals as represented, the centrum is at a + point .77 units strong and + .5 units on the co-operation scale; or, by regression analysis, this plots as a normal least-square equation line of  $y = .272 + .348x$  (positive slope of .38). This attempt to quantify these best estimates of observations indicates

that the general impact of the Order did not lead to great changes but there have been some modest, positive improvements in employee-management relations. The correlation of the plotted data is  $\gamma_{xy} = + .405$ , again not too high but in an acceptable range for observation of behavioral science data. If sufficient time has elapsed since enactment of this Order to permit meaningful measurements (assumption number 3<sup>5</sup>) the standard deviations ( $\sigma_x = 2.05$ ,  $\sigma_y = 1.78$ ), while of some size, do not indicate an unstable situation. After reviewing the unstructured interviews and questionnaire answers, I consider this third assumption as valid--except for "small unions" or employee organizations with only informal recognition status. These "small unions" often appear unstable (similar to the Canadian Civil Service experience of 1944), have inconsistent leadership and weak communications with management. At best many of these small employee organizations appear disappointed in the results of the Executive Order.

In general, the other employee organizations (medium to large with formal or exclusive recognition) seem to be achieving some success from the Order and are somewhat meeting the objectives. The moderate approach indicates that we have the following accomplishments as a result of the Order:

A. Membership in "unions" has increased considerably (in December 1963, it was estimated that total "union" membership in DOD activities

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<sup>5</sup>Supra, p. 2.

was 273,500).

B. To date, major accomplishments include improved communications, cooperation, morale and training. The procedures provided in agreements with "unions" are also proving to be a valuable alternate means for handling grievances.

C. Major changes in areas of participation concern working conditions, grievance procedures, promotions and employee services.

D. In general, management is scoring well in demonstrating "good faith." However, a number of hostile actions by civilian field supervisors were reported. Few military officer supervisors were criticized except for those who were lacking in current knowledge in industrial relations matters.

E. Reports from field activities indicate that the appropriate unit and election procedure issues are resolving themselves, based on the precedents being established by advisory arbitration and new guidelines for agencies (except for the 60% rule and the no run-off features).

F. At present the level of Congressional activity and outside interest (newspapers) has significantly decreased, leaving both management and "unions" with more freedom and time to resolve and promote areas of mutual interest.

G. All of the above accomplishments must be qualified as applying primarily to "medium" and "large" unions with exclusive or formal recognition or as applying to management activities with which these employee organizations are associated.



indicated that some military officers who deal with industrial relations matters have limited knowledge of the subject. Concerning the possibility that activities and "unions" near Washington perceive the Order differently, in general, little difference was found involving the impact of the Order versus the distance. However, in the Washington area, participation may be higher in grievances, promotions, training and employee services.

In summary, this means that the goals of the optimistic approach--complete success and a new era in employee-management relationships--have not been reached in the DOD activities. On the other hand, the pessimistic approach is unrealistic, except for units having small informal "unions." The best estimate is that the Executive Order is, in general, approaching its objectives and overall progress has been of a positive nature. Greater cooperation and participation does exist with a probable increase in job satisfaction for the employees. There is frustration and disillusionment with some elements of both management and "unions." There is no clear cut boundary between management and employees or labor in the Civil Service, giving rise to the current principal problem of the conflict of interest issue.

It is my opinion that the employee organizations are showing less concern over "management prerogatives" than was expected or feared by some officials. The Executive Order is meeting a definite need by clarifying employee status and management policies. Improved cooperation and communications between Federal managers and the employee organizations should prove to be a source of strength to the Civil Service.



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## APPENDIX A

The employee-management information repositories found most useful, in addition to conventional school library sources, consisted of the following:

1. The Armed Forces technical libraries (particularly the Army Pentagon library and the Navy BUSAND library), the technical libraries of the Civil Service Commission and the Department of Labor.
2. Limited access to the unclassified files of the Employee-Management Relations Section of the Army, Navy, Air Force and Marine Corps. The Employee-Relations Section of the Bureau of Naval Personnel was most helpful.
3. Limited access to union headquarters records. The research sections of AFGE, NMU, AFSCME and the AFL-CIO Metal Trades were most helpful.
4. Access to correspondence from such possible neutral parties as Dr. Thomas Holland, of GWU, Dr. Wilson R. Hart, of DSA, and the Federal labor relations writers of the Washington newspapers.

## APPENDIX B

### Tabulated list of activities/individuals interviewed

1. Representatives of National Employee Organizations reported in the Task Force Report. In addition, AFSCME was contacted and telephone interviews were made of the local Washington lodges such as IAM District 44 and the Navy Yard Metal Trades Council.
2. All DOD employee-management relations offices were contacted and representatives of these offices were interviewed. This included the three services, DOD (Manpower), Marine Corps, DSA and MSTs. In addition, employee-management relations in two Navy Bureaus were contacted as were two field activities of each service.
3. All three news columnists covering Federal labor relations in Washington.
4. Representatives from BOB, CSC and the Department of Labor.
5. Two professional labor arbitrators who have been active in Section 11 arbitration concerning Executive Order 10988.

APPENDIX C

EMPLOYEE ORGANIZATION QUESTIONNAIRE

When filled out, this questionnaire will be handled as confidential and the information from the individual responses will be available only to the author and his assistant.

1. Type of employee organization \_\_\_\_\_.  
AFGE, NFFE, IAM, NMU, etc.

2. Approximate number of members in the Defense Establishment or Defense Agencies? \_\_\_\_\_.

Has the total membership changed to any significant degree since enactment of the Executive Order 10988? \_\_\_\_\_.

If so, to what extent? (Increase 10%, Decrease 10%, etc.) \_\_\_\_\_.

3. Approximate number of your lodges/local unions that have exclusive recognition. \_\_\_\_\_. Formal recognition \_\_\_\_\_.

4. Approximate number of Section 11 advisory arbitrations handled to date or pending? \_\_\_\_\_.

Are these advisory arbitration "opinions" establishing any pattern for your organization concerning the bargaining unit? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. How many of your exclusive recognized units have written contracts with the agencies? \_\_\_\_\_.

Do these contracts provide for advisory arbitration concerning grievances? \_\_\_\_\_ and have your local lodges/unions used this provision so far and to what extent? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



6. Since enactment of EO 10988 what principal changes have you noted and to what degree. For example, has the volume of civil service appeals or petitions to Congressmen increased or decreased, have better communications with management resulted, etc.? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. Does your organization have a problem concerning the status and membership of supervisors? \_\_\_\_\_
8. What have been the principal accomplishments, problems, etc., resulting from this Executive Order? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
9. What do you expect in the way of changes in Employee Management Cooperation in the Federal Service in the next 3 to 5 years? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## AGENCY QUESTIONNAIRE

When filled out, this questionnaire will be handled as confidential and the information from the individual responses will be available only to the author and his assistant.

1. Type of activity \_\_\_\_\_.  
(Air Force, Navy, Army, Marine Corps)
2. Approximate number of civilian employees thought to be members of an employee organization. \_\_\_\_\_.
3. Approximate number of exclusive \_\_\_\_\_ formal \_\_\_\_\_ recognitions that have been granted by your field activities.
4. Unions/Employee organizations granted formal national recognition \_\_\_\_\_.  
AFGE, NFFE, IAM, NMU, etc.
5. Approximate number of Section 11 advisory arbitrations handled to date or pending? \_\_\_\_\_.  
Are these advisory arbitration "opinions" establishing any pattern?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. Do your exclusive recognition units have written contracts? \_\_\_\_\_.  
If so, do they provide for advisory arbitration concerning grievances?  
\_\_\_\_\_ and, has there been any use of this contract provision? \_\_\_\_\_  
\_\_\_\_\_
7. Since enactment of EO 10988, what principal changes have you noted to what degree? For example, has the volume of appeals changed? Has quality of union leadership changed? etc.? \_\_\_\_\_  
\_\_\_\_\_

8. In your agency is there a conflict of interest concerning supervisors in employee organizations? \_\_\_\_\_
9. What have been the principal accomplishments, problems, etc., resulting from the Executive Order? \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

# APPENDIX D

## PROPOSED FIELD AGENCY QUESTIONNAIRE

When filled out, this questionnaire will be handled as confidential and the information from the individual responses will be available only to the author and his assistant. However, the final tabulated results will be available to employee organizations and management officials. If you desire a copy of the tabulated results, please advise me of this.

1. Type of activity \_\_\_\_\_ . Geographic location \_\_\_\_\_ .  
(A. F. Base, Naval Shipyard)  
(East, West, North, South)
2. Number of total civilians on payroll \_\_\_\_\_. Type of recognition granted.
3. Type bargaining unit \_\_\_\_\_ . Size of bargaining unit \_\_\_\_\_ .  
(craft, blue collar, command wide)
4. Approximately the number of years unions active your command \_\_\_\_\_.  
Average years labor relations experience your staff \_\_\_\_\_.
5. Since enactment of EO 10988, have you noticed any change in the following, and if so to what degree?

	Greatly Increased	Increased	No Change	Decreased	Greatly Decreased
a. Volume of appeals					
b. Absenteeism/turnover					
c. Frequency of use of dispensary					
d. Participation in Wage Board Survey					
e. Total membership in Unions					
f. Cooperation from union leadership					
g. Quality of union leadership					
h. Union demonstrations of "good faith"					



	Greatly Increased	Increased	No Change	Decreased	Greatly Decreased
i. Relative strength of "small" employee organizations/unions					
j. Total number of unions now contacting manage- ment					

6. Indicate on which of the following you now deal with employee organi-  
zations and the degree of participation:

	<u>YES - NO</u>			Indicate which have changed since EO 10988	
	Establishment of Policy	Imple- mentation	Appli- cation	Some Change	Considerable Change
Wages					
Job classification					
Hours and shifts					
Working conditions					
Grievance procedures					
Promotions					
Training appointments					
Employee services					
Parking					
Other (specify)					

7. Are supervisors members of such organizations? \_\_\_\_\_.  
If so, to what extent, if any, has this presented a conflict of  
interest problem? \_\_\_\_\_.
8. Do you have a policy of meeting regularly with employee organizations?  
\_\_\_\_\_. If so, how frequently and is this a change  
since EO 10988 \_\_\_\_\_.
9. Have you had any problem of employees improperly conducting union  
duties during working hours? \_\_\_\_\_. If so,  
please specify the extent. \_\_\_\_\_.
10. What have been the principal accomplishments, problems, etc., resulting  
from the Executive Order? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## PROPOSED FIELD EMPLOYEE ORGANIZATION QUESTIONNAIRE

When filled out, this questionnaire will be handled as confidential and the information from the individual responses will be available only to the author and his assistant. However, the final tabulated results will be available to employee organizations and management officials. If you desire a copy of the tabulated results, please advise me of this.

1. Type employee organization \_\_\_\_\_.  
(AFL-CIO affiliate, craft type, independent, etc.)
2. Geographic location \_\_\_\_\_. Approximate  
(East, West, North, South)  
monthly dues? \_\_\_\_\_.
3. Type of recognition \_\_\_\_\_. Agency granting  
recognition \_\_\_\_\_.  
(Army, Navy, Air Force)
4. Type of bargaining unit \_\_\_\_\_. Size of  
(blue collar, craft, command wide  
unit \_\_\_\_\_.
5. Approximate number of years your employee organization active this  
command? \_\_\_\_\_ and average years experience labor  
relations your union local officials, shop stewards, business agents, etc.

- 
6. Since enactment Executive Order 10988, have you noticed any change in  
the following, and if so, to what degree

	Greatly Increased	Increased	No Change	Decreased	Greatly Decreased
a. Volume of appeals _____					
b. Absenteeism/turnover _____					
c. Need to petition your Congressman on grievances _____					
d. Participation in wage board surveys _____					
e. Total membership your lodge/local union _____					

	Greatly Increased	Increased	No Change	Decreased	Greatly Decreased
f. Cooperation from management_____					
g. Number of business agents/shop stewards now associated with the military activity_____					

7. Indicate on which of the following you now deal with management and the degree of participation:

YES OR NO			Indicate which have changed since EO 10988	
Establish- ment of Policy	Imple- mentation	Appli- cation	Some Change	Considerable Change
Wages_____				
Job classification_____				
Hours and shifts_____				
Working conditions_____				
Grievance procedures_____				
Promotions_____				
Training_____				
Appointments_____				
Employee services (food, bus, etc.)_____				
Parking_____				
Other (specify)_____				
_____				
_____				



8. Are supervisors members of your organization?\_\_\_\_\_.

If so, does this present a problem with the conflict of interest principle of the Order?\_\_\_\_\_.

9. Does management meet with you regularly?\_\_\_\_\_. If so how often and is this a change since the Executive Order?\_\_\_\_\_

10. What have been the principal accomplishments, problems, etc., resulting from the Executive Order?\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SMC Box #2540  
U. S. Naval Postgraduate School  
Monterey, California 93940

Dear Sir:

I am a graduate student conducting an unofficial survey seeking information concerning the impact of Executive Order 10988 (Employee-Management Cooperation in the Federal Service) upon the Defense agencies. The final tabulated results of this survey will be in a thesis report on file in the technical libraries at the U. S. Naval Postgraduate School, Monterey, California, and the Bureau of Naval Personnel, Washington, D.C. My graduate work in labor relations should be one of the first extensive efforts in this area by a "neutral" party and I hope the results will be informative to National Employee Organizations/Unions and Federal Management. If you would like a copy of the tabulated results, please advise.

Enclosed is a questionnaire, with self-addressed envelope, for you or your organization as applicable to your situation. Please comment on those portions of the questionnaire that apply to you and it would be very helpful to me if you have any comments, suggestions or predictions concerning "labor relations" in the Federal Service.

I wish to thank you in advance for your cooperation. Your assistance will help in keeping this survey objective and accurate.

Sincerely,

C. LEWIS  
Commander, U. S. Navy

Enclosure

SMC#2540

U. S. Naval Postgraduate School  
Monterey, California 93940

Dear Sir:

Early this summer, while I was with the Bureau of Naval Personnel, I contacted you about an unofficial survey that I am conducting pertaining to the impact of Executive Order 10988 (Employee-Management Cooperation in the Federal Service) upon the Defense agencies. This graduate survey work in "labor relations" may be one of the first extensive efforts in this area by a "neutral" party since enactment of the Executive Order and I hope the results will be informative to National Employee Organizations/Unions and Federal Management. If you desire a copy of the tabulated results please advise me on this.

Enclosed are two questionnaires; one is for your organization, as applied to your situation, with space provided for any additional information developing since I last contacted you. The other is a proposed questionnaire for the surveying of your field activities/ lodges or locals, etc. Please review this questionnaire and let me know, via the self-addressed envelope, of any suggestions you might have or any revisions that you desire. I hope to send out the proposed questionnaire in December to a random group of field activities/ lodges or locals, etc.

I want to thank you for the assistance that you and your organization have already given me. If I continue to receive the same type of cooperation from all participating units, I am convinced that this survey will be both objective and accurate.

Respectfully,

C. LEWIS  
Commander, U. S. Navy

Enclosures

## APPENDIX E

Enclosed is a list of various types of leaders in current or past history that have had some impact on our industrial development.

An attempt is being made to develop a scale to test an individual's perception of relative values in leadership.

Please read the list and indicate in relative rank order, by listing the numbers 1-2-3, etc. opposite the various names, the values you would attach to these individuals. If uncertain of certain names, draw a line through the name and omit it.

This reply is to be anonymous but please indicate your type of employment (\_\_\_\_\_) and years of experience with labor relations(\_\_\_\_\_).

QUESTION: Of the following names, please list opposite each name the relative rank order (example, if Lincoln is considered 1st on the list, put a 1 after his name) of the individual as he has contributed significantly to the development of U. S. Industrial growth.

John D. Rockefeller_____	Isaac Newton_____
Luther Burbank_____	John Maynard Keynes_____
Joseph McCarthy_____	Walter Reuther_____
John L. Lewis_____	Albert Einstein_____
Fredrick W. Taylor_____	Henry Ford, Sr._____
Samuel Gompers_____	Thomas A. Edison_____
Alfred P. Sloan_____	Franklin D. Roosevelt_____
William Green_____	Abraham Lincoln_____



# APPENDIX F

## FIELD EMPLOYEE ORGANIZATION QUESTIONNAIRE

When filled out, this questionnaire will be handled as confidential and the information from the individual responses will be available only to the author and his assistant. However, the final tabulated results will be available to employee organizations and management officials. If you desire a copy of the tabulated results, please advise me of this.

1. Type of recognition \_\_\_\_\_ and type of "bargaining unit"

(blue collar, craft, command wide, etc.)

2. Approximate employee organization membership prior to Executive Order 10988 \_\_\_\_\_ and current membership \_\_\_\_\_.

3. Since enactment Executive Order 10988, have you noticed any change in the following, and if so, to what degree? Please indicate the degree of change, if any, on the following seven point scale.

	Greatly Increased	Increase	Slight Increase	No Change	Slight Decrease	Decrease	Great Decrease
a. Volume of Civil Service appeals							
b. Participation in wage board surveys							
c. Cooperation from management							
d. Management demonstrations of "good faith"							

4. Has current employee memberships in employee organizations presented a conflict of interest problem? \_\_\_\_\_ If so briefly describe details. \_\_\_\_\_

5. Indicate on which of the following you now deal with management and the degree of change, if any, since enactment of Executive Order 10988.

Do you participate or assist in the policy on the following? Yes or No	If yes, indicate for those areas the degree of change since enactment of Executive Order 10988.		
	Less Participation	More Participation	About the Same
Wages _____			
Job Classification _____			
Hours and shifts _____			
Working conditions _____			
Grievance procedures _____			
Promotions _____			
Training _____			
Employee services (food, bus, etc.) _____			
Other (specify) _____			

6. Does management meet with you regularly? \_\_\_\_\_. If so, how often do you meet now \_\_\_\_\_ and how often did you meet before Executive Order 10988? \_\_\_\_\_.
7. Is your employee organization using or planning to use the dues "check-off" arrangement established by DOD regulations on 27 Nov 1963? \_\_\_\_\_.  
If so, what principal benefit do you expect? \_\_\_\_\_.  
If not planning to use the dues "check-off" provisions does it have any disadvantages for your organization? \_\_\_\_\_.
8. What have been the principal accomplishments, problems, etc., resulting from the Executive Order? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## FIELD AGENCY QUESTIONNAIRE

When filled out, this questionnaire will be handled as confidential and the information from the individual responses will be available only to the author and his assistant. However, the final tabulated results will be available to employee organizations and management officials. If you desire a copy of the tabulated results, please advise me of this.

1. Type of recognition granted \_\_\_\_\_ and type of "bargaining unit" or "units" \_\_\_\_\_  
(Craft, Command Wide, etc.)
2. Approximate number of total employee organization membership prior to Executive Order 10988 \_\_\_\_\_ and estimated current membership \_\_\_\_\_.

3. Since enactment of Executive Order 10988, have you noticed any change in the following, and if so, to what degree? Please indicate degree of change on the following seven point scale.

	Greatly Increased	Increase	Slight Increase	No Change	Slight Decrease	Decrease	Great Decrease
a. Volume of Civil Service appeals _____							
b. Participation in Wage Board Survey _____							
c. Cooperation from union leadership _____							
d. Quality of union leadership _____							
e. Relative strength of "small" employee organizations/unions _____							

4. Do you have a policy of meeting regularly with employee organizations ? \_\_\_\_\_  
\_\_\_\_\_. If so, how often do you meet now \_\_\_\_\_  
and how often did you meet before Executive Order 10988? \_\_\_\_\_.

4. Indicate on which of the following you now deal with employee organizations and the degree of participation.

Do you participate or assist in the establishment of policy on the following? Yes or No	If yes, indicate for those areas the degree of change since enactment of Executive Order 10988.		
	Less Participation	More Participation	About the Same
Wages _____			
Job Classification _____			
Hours and shifts _____			
Working conditions _____			
Grievance procedures _____			
Promotions _____			
Training _____			
Employee services _____			
Other (specify) _____			

5. Has the current employee membership in employee organizations presented a conflict of interest problem? \_\_\_\_\_. If so, briefly give details. \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

6. What have been the principal accomplishments, problems, etc., resulting from the Executive Order? \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_



SMC Box #2540  
U. S. Naval Postgraduate School  
Monterey, California  
25 January 1964

Dear Sir:

I am a graduate student conducting an unofficial survey seeking information concerning the impact of Executive Order 10938 (Employee-Management Cooperation in the Federal Service) upon the Defense agencies. The final tabulated results of this survey will be in a research report on file in the technical libraries at the U. S. Naval Postgraduate School, Monterey, California and the Bureau of Naval Personnel, Washington, D. C. My graduate work in labor relations should be one of the first extensive efforts in this area by a "neutral" party and I hope the results will be informative to National Employee Organizations/Unions and Federal Management.

This survey and the enclosed questionnaire were coordinated and submitted earlier this year to most of the National Employee organizations that deal extensively with DOD agencies for their advance comments and approval. A few of the organizational leaders that I have contacted in Washington, D. C. by interview for this coordination are as follows:

AFCE - Vice President J. A. Campbell  
AFL-CIO - President B. A. Gritta and Research Director Paul R. Huchings, Metal Trades  
IAM - IAM Legal Counsel Jack Burns  
NFFE - Vice President Florence Broadwell  
NNU - James (Pat) F. Patterson, Washington NNU Headquarters

Telephone and written inquiries have also been made to many of the other employee organizations in and out of the Washington, D. C. area.

However, your individual cooperation is needed if this survey is to be objective and accurate. I would greatly appreciate your assistance. Please fill out that portion of the questionnaire that you feel applies to your local lodge or unit. An important sideline of this survey is to get some response from each questionnaire. Please use the self addressed envelope to send me the impressions that you have of the Executive Order. The results when tabulated should be helpful to your national employee/union headquarters and activities concerned with knowing the dimensions of our labor relations problems.

Respectfully,

CHANTEE LEWIS  
Commander, U. S. Navy

25 January 1964

From: CDR Chantee LEWIS, USN, U. S. Naval Postgraduate School, Monterey, California

To: The Industrial Relations/Civilian Employee Relations Officer

Subj: Survey questionnaire of the impact of Executive Order 10988 on employee-management relations in the Department of Defense

Encl: (1) Questionnaire

1. The subject officer is conducting an "unofficial" survey, as a Navy graduate school project, of employee-management relations concerning the impact of Executive Order 10988. Your activity and your local employee organization/union are representatives of the sample group being contacted for information. In addition, in preparing this survey the project has been discussed and submitted for coordination and approval to the following employee-management officials in Washington:

Louis S. Wallerstein, Department of Labor

Edwin Bud Powell, Department of the Navy

G. L. (Jack) Olmstead, Department of the Army

Leonard E. Burman, Department of the Air Force

Frank M. Johnson, Headquarters, U. S. Marine Corps

2. Please fill out that portion of the questionnaire which you feel is applicable to your organization and return via self addressed envelope as soon as possible. The final tabulated results of this survey will be in a research report on file in the technical libraries at the USNAVPOSTGRAD School and the Bureau of Naval Personnel, Washington, D. C. and available for inter-library loans.

Respectfully,

CHANTEE LEWIS  
Commander, U. S. Navy

SMC Box #2540  
U. S. Naval Postgraduate School  
Monterey, California 93940

Dear Sir:

In January I mailed a questionnaire to your address. To date I have not heard from you, so I am again forwarding an additional questionnaire considering the possibility that my earlier letter may have gone astray.

I would appreciate some response. For statistical purposes it is important that I know if my letters are reaching you.

Respectfully,

CHANTEE LEWIS  
Commander, U. S. Navy

P.S. If you do not desire to use the attached questionnaire please indicate your category of response, and return via self-addressed envelope this covering letter.

- ☐ 1. I have no comments concerning the Executive Order.
- ☐ 2. Time does not permit use of the questionnaire, however, I feel that since enactment of Executive Order 10988, employee-management relations have ☐ improved ☐ no change ☐ declined.
3. The principal accomplishments, problems, etc., resulting from this Order are \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SAMPLE OF POSTCARD QUESTIONNAIRE

U. S. Naval Postgraduate School  
Monterey, California, 11 March 1964

Dear Sir:

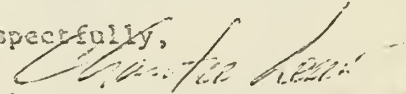
I am the graduate student conducting an unofficial survey seeking information concerning the impact of Executive Order 10988 (Employee-Management Cooperation in the Federal Service).

In January & February '64, I mailed questionnaires to your address. To date I have not heard from you, possibly my earlier letters have gone astray.

I would greatly appreciate some response. To have an objective statistical study, it is important that I know if my letters are reaching you.

Please use the self-addressed attached postcard so that I may complete this survey.

Respectfully,



Please indicate your response by checking the appropriate questions.

- ☐ 1. I have not received your earlier questionnaires, please send me a questionnaire, or
- ☐ 2. I have no comments concerning the Executive Order, or
- ☐ 3. Time does not permit use of the questionnaire, however I feel that since enactment of Executive Order 10988, employee-management relations have ☐ improved ☐ no change ☐ declined, and
- ☐ 4. The principal accomplishments, problems, etc., resulting from this Order, are \_\_\_\_\_



## APPENDIX C

## CONTENT ANALYSIS WORK SHEET

Theme Strength - 1 Strongly support, 2 Support, 3 Uncertain,  
4 Critical, 5 Strongly critical

Name of newspaper and columnist \_\_\_\_\_

DATE	THEME	SOURCE/ AUDIENCE	MISSION/ DOMINATE VALUES	STRENGTH	COLUMN INCH VOLUME

APPENDIX H

MANAGEMENT

		TOTAL NUMBER RESPONDING													NO OPINIONS WHEN CLASSIFIABLE													NON-RESPONDENTS WHEN CLASSIFIABLE													SHIFTS IN MEMBERSHIP GREAT INCREASE													SIGNIFICANT INCREASE													SLIGHT INCREASE													NONE													DECREASE													UNKNOWN													VOLUME OF CIVIL SERVICE APPEALS													PARTICIPATION IN WAGE BOARD SURVEYS																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																					

## MANAGEMENT

COOPERATION FROM UNION LEADERSHIP													QUANTITY OF UNION LEADERSHIP							RELATIVE STRENGTH OF "SMALL" UNIONS																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																													
SERVICE		TYPE RECOGNITION AND TYPE UNION						SIZE		LOC.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																							
ARMY	AIR FORCE	NAVY	DOD & MARINE	EXCLUSIVE	FORMAL	INFORMAL	INDUSTRIAL	CRAFT	LARGE	MEDIUM	SMALL	WASH D.C.	NON - WASH																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				

APPENDIX H  
MANAGEMENT

LOC.	SIZE	TYPE RECOGNITION AND TYPE UNION	PARTICIPATE IN POLICY CONCERNING WAGES					PARTICIPATE IN POLICY CONCERNING JOB CLASS					PARTICIPATION IN POLICY CONCERNING HOURS AND SHIFTS					PARTICIPATION IN POLICY CONCERNING WORKING CONDITIONS				
			YES	NO	LESS	MORE	SAME	YES	NO	LESS	MORE	SAME	YES	NO	LESS	MORE	SAME	YES	NO	LESS	MORE	SAME
	ARMY		4	15	-	-	4	5	14	-	2	3	16	4	-	12	4	17	3	-	12	5
	AIR FORCE		8	11	-	1	7	11	6	-	1	10	13	3	-	9	4	17	2	-	9	8
	NAVY		19	23	-	2	17	24	21	-	6	18	36	8	-	26	10	38	5	-	24	14
	DOD & MARINE		3	6	-	1	2	4	5	-	-	4	7	1	-	2	5	6	2	-	3	3
	EXCLUSIVE		21	36	-	4	17	23	20	-	6	17	37	7	-	25	12	44	4	-	33	11
	FORMAL		12	15	-	-	12	18	13	-	3	15	30	9	-	16	14	29	4	-	13	16
	INFORMAL		1	4	-	-	1	2	3	-	-	2	5	-	-	3	2	5	3	-	2	3
	INDUSTRIAL		27	41	-	3	24	35	33	-	6	29	53	13	-	35	18	58	9	-	31	27
	CRAFT		7	14	-	1	6	8	13	-	2	6	19	3	-	14	5	20	2	-	17	3
	LARGE		6	10	-	-	6	13	7	-	3	10	16	1	-	12	4	17	-	-	13	4
	MEDIUM		15	22	-	4	11	18	22	-	4	14	36	8	-	26	8	32	4	-	23	9
	SMALL		13	20	-	-	13	12	17	-	1	11	20	6	-	11	9	29	7	-	12	17
	WASH D.C.		7	20	-	2	5	14	4	-	7	7	22	5	-	14	8	26	2	-	14	12
	NON - WASH		27	34	-	2	25	29	22	-	4	25	50	11	-	35	15	48	9	-	30	18



APPENDIX H  
MANAGEMENT

LOC.	SIZE	TYPE RECOGNITION AND TYPE UNION	SERVICE	PARTICIPATION IN POLICY CONCERNING GRIEVANCES					PARTICIPATION IN POLICY CONCERNING PROMOTIONS					PARTICIPATION IN POLICY CONCERNING TRAINING					PARTICIPATION IN POLICY CONCERNING EMPLOYEE SERVICES					UNITS REPORTING A CONFLICT OF INTEREST	
				YES	NO	LESS	MORE	SAME	YES	NO	LESS	MORE	SAME	YES	NO	LESS	MORE	SAME	YES	NO	LESS	MORE	SAME		
			ARMY	15	4	—	10	5	16	3	—	7	9	13	6	—	4	9	13	6	—	10	3	3	
			AIR FORCE	14	4	—	5	9	16	2	—	5	11	12	6	—	2	10	12	7	—	6	6	3	
			NAVY	41	8	—	24	17	40	5	—	23	17	35	9	—	11	24	43	3	—	24	19	1	
			DOD & MARINE	7	2	1	5	1	8	2	—	4	4	7	2	1	3	3	7	2	—	3	4	—	
			EXCLUSIVE	44	7	1	29	15	50	3	—	27	23	36	15	1	14	24	41	9	—	28	13	4	
			FORMAL	28	7	—	14	14	28	6	—	12	14	23	8	—	5	18	28	8	—	14	14	2	
			INFORMAL	5	3	—	1	4	5	2	—	1	4	5	—	—	1	4	6	1	—	1	5	1	
			INDUSTRIAL	58	14	1	22	25	61	9	—	33	27	51	17	1	12	39	56	17	—	33	23	4	
			CRAFT	19	3	—	12	7	19	2	—	11	8	16	6	—	8	8	19	1	—	10	9	3	
			LARGE	15	3	—	13	2	19	—	—	14	5	16	5	—	4	12	16	—	—	11	5	3	
			MEDIUM	37	9	—	28	9	34	3	—	16	18	28	5	—	12	16	31	10	—	20	11	3	
			SMALL	25	5	1	11	14	27	8	—	9	18	23	12	1	4	18	28	8	—	12	16	1	
			WASH D.C.	28	4	—	17	11	27	2	—	14	13	26	3	—	10	16	25	2	—	15	10	2	
			NON - WASH	49	13	1	26	21	53	9	—	26	27	41	20	1	20	21	50	16	—	28	22	5	

## APPENDIX H

### UNIONS

LOC.	SIZE	TYPE RECOGNITION AND TYPE UNION	SERVICE	SHIFTS IN MEMBERSHIP			VOLUME OF CIVIL SERVICE APPEALS						PARTICIPATION IN WAGE BOARD SURVEYS													
				TOTAL NO RESPONDING	NO OPINION WHEN CLASSIFIABLE	NON-RESPONDENTS WHEN CLASSIFIABLE	GREAT INCREASE	SIGNIFICANT INCREASE	SLIGHT INCREASE	NONE	DECREASE	UNKNOWN	GREAT INCREASE	INCREASE	SLIGHT INCREASE	NO CHANGE	SLIGHT DECREASE	DECREASE	GREAT DECREASE							
	ARMY			25	5	0	8	4	3	4	5	UK.	1	2	3	4	5	6	7	1	2	3	4	5	6	7
	AIR FORCE			21	3	4	-	7	4	7	1	2	-	5	2	13	1	-	-	2	1	1	16	-	1	-
	NAVY			48	11	2	10	8	10	4	4	12	-	6	2	20	3	-	-	3	3	2	19	-	-	1
	DOD & MARINE			5	3	5	1	-	-	1	-	-	-	-	-	2	-	-	-	-	-	1	1	-	-	-
	EXCLUSIVE			49	6	4	17	7	10	5	2	8	-	13	1	25	3	-	-	5	7	1	25	-	1	-
	FORMAL			36	8	2	2	11	4	7	4	8	-	-	4	20	1	1	-	-	2	3	18	-	-	1
	INFORMAL			12	4	1	-	2	3	3	4	1	-	-	-	5	-	-	-	-	-	-	4	-	-	-
	INDUSTRIAL			72	13	5	4	13	16	13	4	16	-	4	4	36	4	1	-	1	5	3	32	-	1	1
	CRAFT			27	3	2	14	5	1	1	4	2	-	9	1	14	-	-	-	4	4	1	15	-	-	-
	LARGE			15	2	2	12	2	-	-	1	1	-	9	1	5	-	-	-	1	2	2	10	-	-	-
	MEDIUM			46	10	3	6	17	7	8	2	15	-	4	3	26	4	1	-	4	6	2	19	-	1	1
	SMALL			25	6	2	-	-	10	7	6	3	-	-	1	19	-	-	-	-	1	-	18	-	-	-
	WASH D.C.			20	4	4	3	4	5	3	4	4	-	4	1	12	3	-	-	1	2	-	14	-	-	-
	NON-WASH			79	14	3	15	15	12	12	4	12	-	11	4	38	1	1	-	4	7	4	33	-	1	1

APPENDIX H

UNIONS

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# APPENDIX H

## UNIONS

LOC.	SIZE	TYPE RECOGNITION AND TYPE UNION	SERVICE	PARTICIPATION IN JOB CLASSIFICATION					PARTICIPATION IN HOURS AND SHIFTS					PARTICIPATION IN POLICY CONCERNING WORKING CONDITIONS					PARTICIPATION IN GRIEVANCE PROCEDURES				
				YES	NO	LESS	MORE	SAME	YES	NO	LESS	MORE	SAME	YES	NO	LESS	MORE	SAME	YES	NO	LESS	MORE	SAME
			ARMY	17	7	-	13	4	19	5	-	12	7	21	4	-	15	6	23	2	-	18	5
			AIR FORCE	7	10	-	2	5	7	10	-	2	5	12	4	-	4	8	12	2	-	5	7
			NAVY	25	8	1	10	14	34	1	-	23	11	32	2	-	26	6	33	1	3	23	7
			DOD & MARINE	1	1	-	-	1	1	1	-	-	1	1	1	-	1	-	1	1	-	1	-
			EXCLUSIVE	39	9	1	22	17	42	2	-	30	12	40	1	-	35	5	45	1	3	37	5
			FORMAL	7	14	-	3	4	13	13	-	6	7	22	8	-	12	10	20	3	-	10	10
			INFORMAL	4	3	-	1	3	6	2	-	1	5	4	2	-	-	4	4	2	-	-	4
			INDUSTRIAL	30	26	1	15	15	41	17	-	25	16	46	11	-	30	16	43	6	3	26	14
			CRAFT	20	-	-	10	10	20	-	-	12	8	20	-	-	16	4	26	-	-	21	5
	LARGE			15	3	1	11	2	16	-	-	13	3	17	-	-	16	1	16	-	1	14	1
	MEDIUM			28	13	-	13	15	35	12	-	20	15	40	6	-	27	13	42	2	2	31	9
	SMALL			7	10	-	1	6	10	5	-	4	6	9	5	-	3	6	11	4	-	2	9
	WASH D.C.			11	7	1	5	5	12	5	-	8	4	13	4	-	11	2	13	3	3	9	1
	NON - WASH			39	19	-	20	19	49	12	-	29	20	53	7	-	35	18	56	3	-	38	18



# APPENDIX H

## UNIONS

LOC.	SIZE	TYPE RECOGNITION AND TYPE UNION	SERVICE	PARTICIPATION IN PROMOTION PROCEDURES					PARTICIPATION IN TRAINING PROCEDURES					PARTICIPATION IN EMPLOYEE SERVICES					REPORT A CONFLICT OF INTEREST	REPORT REGULAR MEETINGS NOT HELD WITH MANAGEMENT
				YES	NO	LESS	MORE	SAME	YES	NO	LESS	MORE	SAME	YES	NO	LESS	MORE	SAME		
	ARMY			21	4	-	15	6	11	14	-	7	4	21	4	1	15	5	11	10
	AIR FORCE			8	7	-	2	6	8	7	-	2	6	8	7	-	1	7	7	8
	NAVY			30	4	-	23	7	19	13	1	9	10	30	2	1	25	5	5	14
	DOD & MARINE			1	1	-	1	-	1	1	-	-	1	1	1	-	-	1	-	2
	EXCLUSIVE			41	3	-	34	7	24	18	1	13	8	43	5	1	32	11	13	20
	FORMAL			15	10	-	7	8	11	12	-	2	12	12	6	1	6	6	5	9
	INFORMAL			4	3	-	-	4	4	5	-	3	1	4	3	-	3	1	5	5
	INDUSTRIAL			40	16	-	25	15	28	22	1	9	18	41	14	2	27	12	13	27
	CRAFT			20	-	-	16	4	12	8	-	9	3	20	-	-	14	6	10	7
	LARGE			16	1	-	15	1	6	10	1	5	1	16	1	-	14	2	9	4
	MEDIUM			39	8	-	24	13	26	16	-	11	15	38	7	2	22	14	5	14
	SMALL			7	7	-	2	5	7	9	-	2	5	7	6	-	5	2	8	16
	WASH D.C.			11	4	-	6	5	10	8	1	4	5	11	6	1	8	2	4	4
	NON - WASH			49	12	-	35	14	29	27	-	14	16	50	8	1	33	16	19	30

## APPENDIX I

### Explanation of terms and ordinal scales.

#### Weak-strong:

This scale relates to the intensity of activity and it pertains to the individual items being observed, such as participation in wage boards, joint cooperation, type of written contracts, etc. The ordinal scale numbers, 0 through 4 plus or minus, indicate the rank ordering of the degree of activity. 0 means no activity, +1 slight strength, +2 moderate strength, +3 significant strength, and +4 great strength. Conversely the negative side of the scale indicates slight weakness, moderate weakness, significant weakness and great weakness. While the graph appears linear this measure, as its name implies, is only a rank ordering of values. In placing of the individual values, an attempt was made to compare the different items--two at a time--and to make a judgment of which is "greater" or "less" and thereby have a rank ordering list.

#### Cooperative-uncooperative:

This scale pertains to the degree of accord, harmony or morale existing which concerns the specific issues such as grievance procedures, training, or working conditions. The ordinal scale numbers (0 through 4 plus or minus) are similar--as indicated above--and the individual items were again compared by this criteria, two at a time, and ranked as "greater" or "less than" until I had an item to item ranking order between the sixteen items.

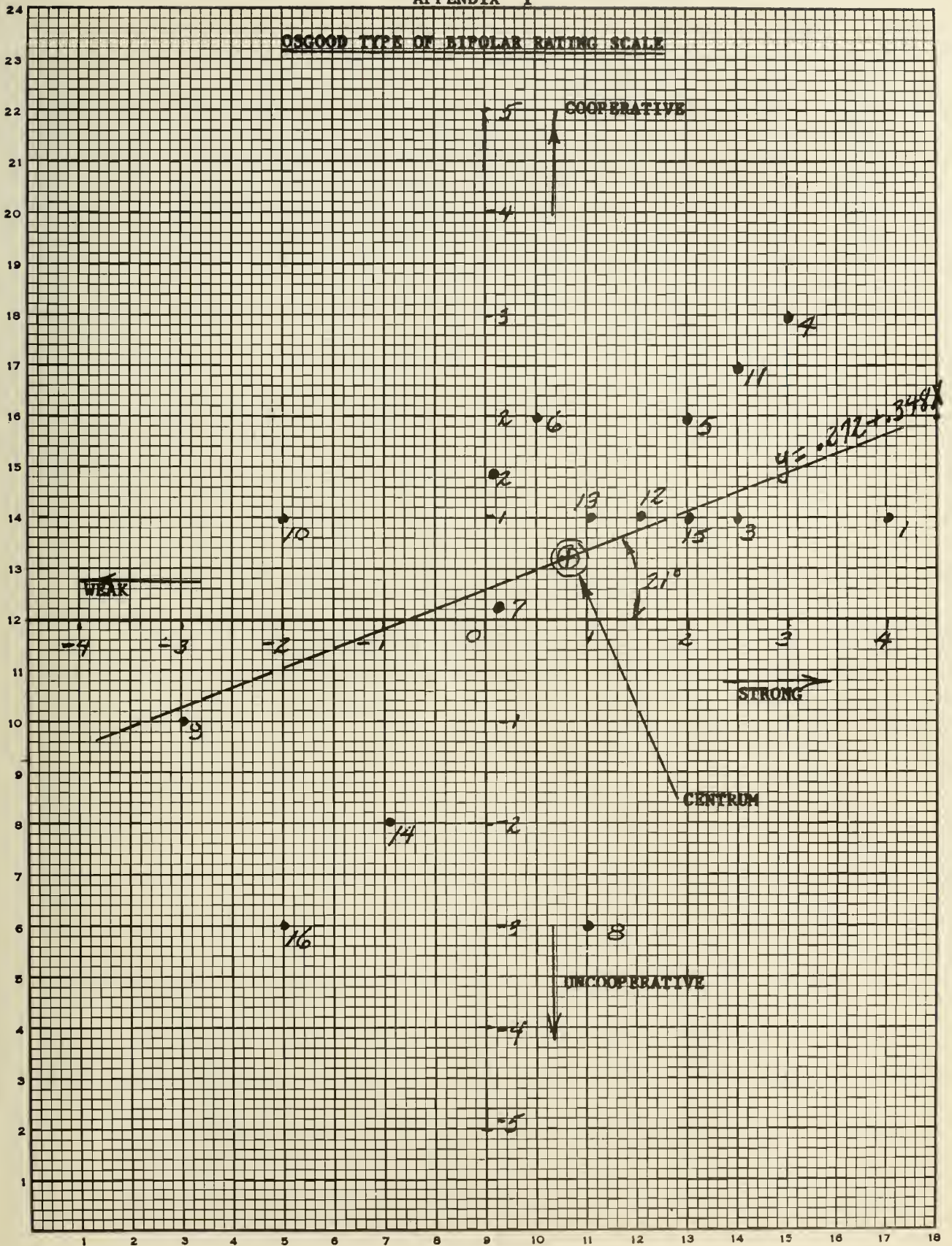
Legend for bipolar rating scale numbers

1. Union strength as indicated by growth in number of units receiving exclusive recognition
2. Relative growth of total number of unions that deal with management
3. Union membership growth, 20%+
4. Changes in number of Congressional "bills" introduced yearly
5. Management evaluation of Order via observations
6. "Unions" evaluation of Order via observation
7. No significant change in Civil Service appeals level
8. Reported "bargaining unit" and election problems
9. "Small" union's membership problem
10. Quality of leadership (union) in the "field"
11. Quality of leadership (union) at the Washington level
12. Participation with management (working conditions, wage board, etc.)
13. Overall cooperation (average value between "unions" and management)
14. Informal and small unions leadership problem
15. Management's demonstrations of good faith
16. Reported conflict of interest problem



# APPENDIX I

## OSGOOD TYPE OF BIPOLAR RATING SCALE





thesL605

The impact of executive order 10988 on I



3 2768 002 11870 5

DUDLEY KNOX LIBRARY C. 1